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NAVAL POSTGRADUATE SCHOOL

MONTEREY, CALIFORNIA

THESIS

**TEACHING CASE: TRANSGENDER SAILORS,
LEADERSHIP CHALLENGES, AND ETHICAL
DILEMMAS**

by

Terry Borja

June 2018

Co-Advisors:

Gail F. Thomas
Kathryn J. Aten
Mark Eitelberg

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**TEACHING CASE: TRANSGENDER SAILORS, LEADERSHIP CHALLENGES,
AND ETHICAL DILEMMAS**

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Submitted in partial fulfillment of the
requirements for the degree of

MASTER OF BUSINESS ADMINISTRATION

from the

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ABSTRACT

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LIST OF ACRONYMS AND ABBREVIATIONS

APA	American Psychological Association
CO	commanding officer
CoC	chain of command
DADT	Don't Ask, Don't Tell
DEERS	Defense Enrollment Eligibility Reporting System
DOD	Department of Defense
DODI	Department of Defense Instruction
DSM	Diagnostic and Statistical Manual of Mental Disorders
FTM	female-to-male
GCS	gender confirmation surgery
GD	gender dysphoria
HRT	hormone replacement therapy
JSOC	Joint Special Operations Command
LGBT	lesbian, gay, bisexual, transgender
MMP	military medical provider
MTF	male-to-female
NDRI	National Defense Research Institute
OSD	Office of the Secretary of Defense
ROTC	Reserve Officer Training Corps
SASC	Senate Armed Services Committee
SRS	sex reassignment surgery
TDRL	temporary disability retired list
TIO	tactical information operations
Trans	transgender
UCMJ	Uniform Code of Justice

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"A," thank you for listening to me rant endlessly about my struggles with writing this report. Many weekends were sacrificed to make this report a reality. You supported me when I was at my lowest and encouraged me to see it through. I am eternally grateful and fortunate to have you in my life.

Mi querida madre, viniste a este país para ayudarnos a realizar sueños que nunca pensamos que podríamos lograr. Eres la mejor madre que cualquiera podría pedir. Gracias por todo lo que ha hecho por mí y todo su apoyo. Esto es para ti.

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I. INTRODUCTION

This teaching case seeks to educate current and future leaders in the U.S. Navy about policies that affect transgender persons. U.S. military policies regarding service by transgender individuals have been the focus of considerable study, discussion, and change in recent years. Navy leaders are responsible for implementing these policies and guiding sailors who must work together and rely on each other through these changes. This responsibility requires that Navy leaders understand the policies and their objectives as well as the important implications of gender identity. Additionally, Navy leaders should appreciate the possible challenges faced by transgender sailors, their supervisors, subordinates, and their co-workers.

Prior to July 2016, Department of Defense (DOD) policy prohibited transgender individuals from serving in the Navy, though many served secretly. A sailor could be discharged at the discretion of a commander for “other designated physical or mental conditions” that included the category, “sexual gender and identity disorders” (DOD Instruction [DODI] 1332.14 for enlisted personnel; DODI 1332.30 for officers). In December 2010, Congress repealed “Don’t Ask, Don’t Tell” (DADT), an action which allowed lesbian, gay, and bisexual persons to serve openly. This change, however, addressed sexual orientation, not gender identity.

In May 2014, Secretary of Defense Chuck Hagel stated that he would be open to the continual review of policies that banned transgender people from openly serving in the military (Peralta, 2014). One year later, Secretary Hagel’s successor, Ash Carter, issued two directives that ultimately enabled a change in policy. The first directive established a working group to assess the impacts that allowing open transgender service would have in the military; specifically policy and readiness implications. (Carter, 2015a). The second directive made it harder to discharge a transgender service member by elevating the level of authority needed to approve the discharge to the under secretary of defense for personnel and readiness (Carter, 2015a). The first directive also authorized RAND Corporation’s National Defense Research Institute to lead a comprehensive study of the effects of allowing transgender people to serve openly in the military. The RAND study concluded

that the impacts would be minimal (Schaefer et al., 2016). Subsequently, in June 2016, the DOD removed the policy banning transgender persons from serving openly in the U.S. military.

In July 2016, a new policy (DODI 1300.28) allowed service members who identified as transgender to create a transition plan with their military medical provider and their commanding officer (DOD, 2016a). According to this policy, the military medical provider determined when the gender transition was complete and, upon approval of the commanding officer, the service member's gender marker was updated in the Defense Enrollment Eligibility Reporting System (DEERS). Just over one year later, in August 2017, President Donald Trump issued a presidential memorandum to reinstate the policy on transgender individuals in effect before June 2016. Then again, in March 2018, President Trump issued a second presidential memorandum to revoke the previous memorandum and institute a modified ban on transgender service members. As of early June 2018, the U.S. federal courts have prevented any changes to the DOD policy of June 2016, which allows transgender persons to join the military and serve openly.

The present teaching case is designed for classroom discussion and educational purposes. It aims to generate discourse and thoughtful evaluation of how to manage difficult issues such as those experienced by the individuals in the case. It is not a critique of specific practices and does not offer recommendations for action. Recommendations are limited to methods for using the case.

This MBA report includes a background review of important events and policy changes, a teaching case, and a teaching plan. The teaching plan contains a case synopsis, learning objectives, discussion questions with possible answers, a research method, conceptual analysis, and notes and references. The case is based primarily on publically available data, including news reports and a blog, supplemented with input from the protagonist. Case development involved the collection and analysis of relevant data to identify key events, individuals, decision points, and policies. The analysis resulted in a narrative and timeline of events depicted in the teaching case. The case also presents a systematic review of media coverage of the focal event and related policies, as well as suggested data sources.

II. BACKGROUND

A. OVERVIEW

If the U.S. Navy is to deal effectively with transgender sailors, leaders should be aware of transgender policy—both past and present. This chapter begins by discussing exclusionary practices that have impacted minority personnel, in general. Then, the chapter covers events related to the development of transgender policy from 2010–2018. The chapter ends with a short discussion of social trends related to transgender persons.

B. MILITARY HISTORICAL EXCLUSIONARY PRACTICES

The U.S. military has applied various policies and practices over the years to exclude or otherwise restrict participation by certain population groups. Within the time of their exclusion, these groups often accounted for relatively large numbers of U.S. citizens defined by their gender (e.g., women), race (e.g., African Americans), national origin (e.g., Japanese Americans), or sexual preference (e.g., homosexuals). It is important to differentiate here between the military's qualification standards (such as test scores, education, or predicted performance based on medical, physical, or moral fitness) that restrict the enlistment or commissioning of *individuals* and policies that exclude citizens based primarily on a demographic *group* to which they belong (Eitelberg, 1988; Eitelberg, Laurence, Waters, & Perelman, 1984). At the same time, it is equally important to recognize that qualification standards applied to individuals can affect sizable demographic groups very differently, even if the outcomes are unintentional. As Eitelberg (1986) wrote in *Representation and Race in America's Volunteer Military*,

Employers may evaluate all job applicants without bias—on an individual basis—but all job applicants are obviously not equally qualified for every position. Any impartial employment method short of random choice, then, will inevitably reflect existing social or racial inequities. (pp. 104–105)

These otherwise impartial employment methods can help to sustain forms of bias or discrimination embedded within the policies and practices of an organization. Pincus (1996), a sociologist who has written extensively on the subject of discrimination, differentiated between institutional discrimination, described as deliberate, and structural

discrimination, which is essentially unintentional. In both instances, the discrimination derives from a dominant group's policies or the individual behavior of persons within the institutions who control or implement these policies; in both cases, the policies "have a differential and/or harmful effect on minority race/ethnic/gender groups" (Pincus, 1996, p. 186). An example of such discrimination in the military's recruiting system would be an enlistment requirement, such as a minimum test score—established unscientifically or for which there are equally effective, more equitable options—that restricts disproportionately the participation of a minority group. Other examples could be enlistment requirements related to a person's medical condition, physical strength, national origin, arrest history, and so on, that cannot be justified empirically and clearly affect or harm a minority group more than the military's dominant group. Historically, such standards have resulted in both forms of discrimination, institutional and structural, within the U.S. military (Binkin & Eitelberg, 1982; Eitelberg, 1986, 1988).

Long before transgender people became mainstream, the prohibitive narrative applied by policymakers to exclude one group or another was remarkably consistent, claiming, for example, that unrestricted service by a group's members could adversely affect "morale, good order, and discipline" or erode military readiness, unit cohesion, and combat effectiveness (Downes, 2017). The common arguments for exclusion are displayed prominently in a 1982 DOD directive that prohibited service by homosexuals:

Homosexuality is incompatible with military service. The presence in the military environment of persons who engage in homosexual conduct or who, by their statements demonstrate a propensity to engage in homosexual conduct, seriously impairs the accomplishment of the military mission. The presence of such members adversely affects the ability of the Military Services to maintain discipline, good order, and morale; to foster mutual trust and confidence among service members; to ensure the integrity of the system of rank and command; to facilitate assignment and worldwide deployment of service members who frequently must live and work under close conditions affording minimal privacy; to recruit and retain members of the Military Services; to maintain public acceptability of military service; and to prevent breaches of security. (Embser-Herbert, 2007)

As noted, supporters of exclusionary policies often claim that removing some longstanding prohibition on participation by a group's members could seriously impair the

military's "unit cohesion" and thus its effectiveness. Over the past several decades, the term has become a convenient, catchall reason for keeping certain groups out of the military, since it may seem understandable that people relate better to those with whom they are demographically similar. In the most simple terms, unit cohesion is defined as "the bonding together of members of an organization or unit in such a way as to sustain their will and commitment to each other, their unit, and the mission" (from a 1984 National Defense University Study quoted in Jozwiak, 1999, p. 2). Scholarly studies following World War II identified the bonding of military members as an essential component of military effectiveness. Since then, as MacCoun and Hix (2010) wrote, "our understanding of the concept of cohesion and its relationship to military performance has evolved ..., but the importance of the general concept of cohesion remains widely appreciated in the military" (p. 137). As early as 1993, when lawmakers were crafting Don't Ask, Don't Tell (DADT), MacCoun's research led him to conclude, "Although concerns about the potential effect of permitting homosexuals to serve in the military are not groundless, the likely problems are not insurmountable, and there is ample reason to believe that heterosexual and homosexual military personnel can work together effectively" (MacCoun, 1996, p. 172).

Another common theme among those favoring restrictive policies is that the military should not be a "social laboratory" for the rest of society (Carreiras, 2006, p. 87). For example, in the late 1940s, Secretary of the Army Kenneth C. Royall (1949) expressed his strong view that the Army should not be an "experiment" for racial integration or an "instrument for social evolution" (p. 2). According to Royall (1949), such experimentation could seriously damage the morale of white troops, since "it is a well-known fact that close personal association with Negroes is distasteful to a large percentage of Southern ones" (p. 3; Slotkin, 2017). Nearly 50 years later, the president of the Center for Military Readiness and a guest speaker at "The Heritage Lectures" invoked a similar argument in criticizing certain military personnel policies of the time:

Social experimentation accelerates the demoralization of the military and promises to change the culture in disturbing ways. Plans to put women and mothers in or near combat units amount to an endorsement of violence against women. It signals that in our culture, men will no longer be raised

and expected to defend and protect women. By any measure, this is a step backward for civilization, not a step forward. (Donnelly, 1995, p. 5)

In the Army's official history of World War II, Ulysses G. Lee observed, "the Army found that it was the 10 percent of American manpower which was Negro that spelled a large part of the difference between the full and wasteful employment of available American manpower of military age" (quoted in Eitelberg, 1986, p. 86). Shortly after the war, in July 1948, President Truman issued Executive Order 9981, which required equal treatment and opportunity for all persons of the U.S. military regardless of race, color, religion, or national origin (Hosek et al., 2001). Truman's order led eventually to the full integration of African Americans in the military, as the last racially segregated unit was abolished in 1954 (Binkin & Eitelberg, 1982). By October 1952, well before the achievement of full integration, *The New Republic* published a positive assessment of the military's progress toward civil rights:

Today the entire atmosphere [among decision makers] has undergone a startling and refreshing change. Not one top military official will fundamentally question the policy of integration. Everyone will tell you that it has immeasurably bolstered the morale of our fighting forces, increased their efficiency and has been successful. (Conn, 1952, para. 4)

It should come as no surprise that the language of exclusion never really disappeared from public discourse or from the justifications used to prohibit or otherwise restrict an entire group of citizens from serving equally in the U.S. military. Similar language appears in a presidential memorandum of August 25, 2017, on "Military Service by Transgender Individuals" (Trump, 2017). In this document, the president directs that the military "return to the longstanding policy and practice on military service by transgender individuals that was in place prior to June 2016 until such time as a sufficient basis exists upon which to conclude that terminating that policy and practice would not have the negative effects discussed above" (Trump, 2017, Section 1.b). The negative effects listed in the directive are as follows: "hinder military effectiveness and lethality, disrupt unit cohesion, [and] tax military resources" (Trump, 2017, Section 1.a). The directive of August 2017 was ultimately revoked and replaced by a new directive issued on March 23, 2018 (DOD, 2018). The new directive did not refer to "negative effects,"

which were instead discussed in a recommendation from the secretary of defense and an accompanying report (DOD, 2018; Mattis, 2018).

C. PAST TRANSGENDER MILITARY POLICY

No explicit guidance banning transgender people existed before the presidential memorandum of August 2017; medical regulations and related screening standards effectively denied military entry by persons who identified as transgender. DOD Instruction 6130.03 provided guidance on the physical and medical requirements for persons applying to enter or remain in the armed forces (DOD, 2011). More specifically, the instruction is used to “establish policy, assign responsibilities, and prescribe procedures for physical and medical standards for appointment, enlistment, or induction in the Military Services,” and it “establishes medical standards, which, if not met, are grounds for rejection for military service” (DOD, 2011, p. 1). The instruction also specifies certain conditions that may apply to transgender personnel and would disqualify them from joining the military. These are “current or history of psychosexual conditions, including but not limited to transsexualism, exhibitionism, transvestism, voyeurism, and other paraphilias; ... history of major abnormalities or defects of the genitalia including but not limited to change of sex, hermaphroditism, pseudohermaphroditism, or pure gonadal dysgenesis” (DOD, 2011, enclosure 4). Additionally, under the instruction, a service member could be separated from the military at the discretion of a commander for “other designated physical or mental conditions” that are deemed as “sexual gender and identity disorders” (DODI 1332.14 for enlisted, DODI 1332.30 for officers).

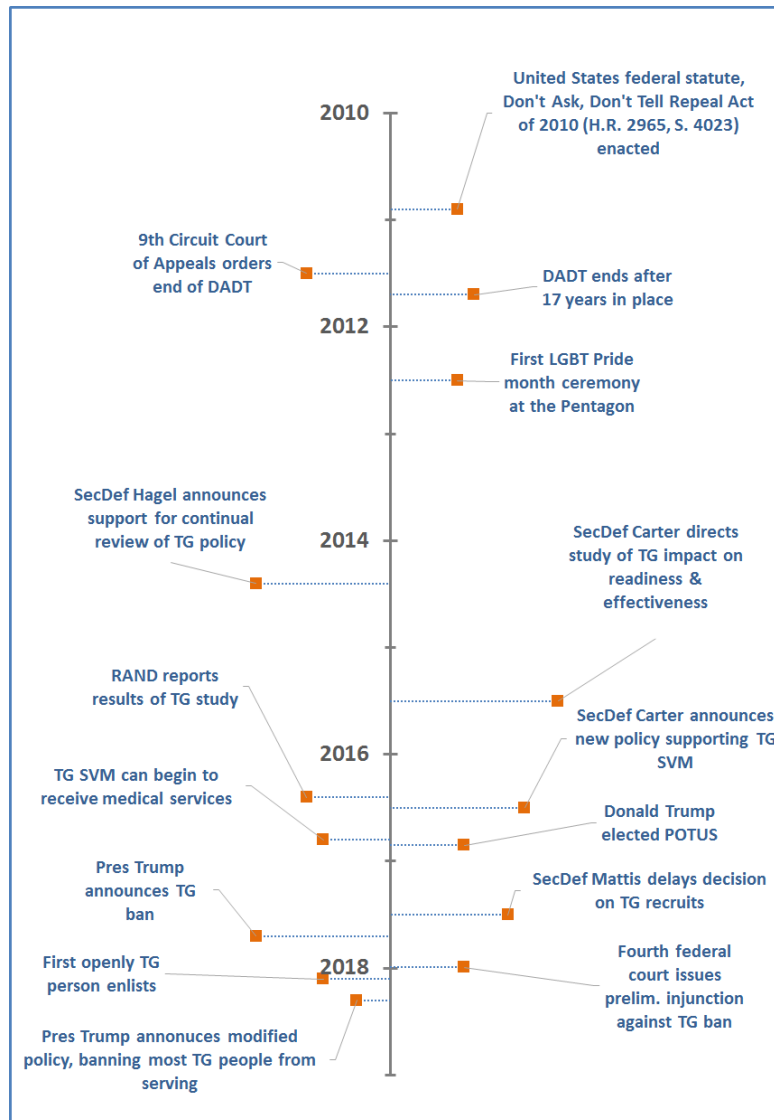
Figure 1 provides a timeline of key events leading to policy decisions regarding military service by transgender persons. As seen here, the timeline begins in December 2010 with passage of the “Don’t Ask, Don’t Tell Repeal Act of 2010,” which established a process for ending the policy that was created in December 1993 and took effect in February 1994 (Vogel-Fox, Karangu, & Sinclair Broadcast Group, 2017). Some months later, in July 2011, while the process of ending DADT was still progressing, the 9th Circuit Court of Appeals ordered the DOD to stop enforcing it (Vogel-Fox et al., 2017). The process of formally ending DADT occurred on September 20, 2011. Removal of DADT,

which became increasingly controversial over its 17-year history, allowed lesbian, gay, and bisexual (LGB) members of the military to serve openly. Although transgender people are commonly a part of the acronym LGBT (Lesbian, Gay, Bisexual, Transgender), the repeal of DADT did not allow transgender personnel to serve openly.

DADT addressed sexual orientation, not gender identity, so transsexualism was treated separately under other regulations and policies. However, the repeal of DADT stimulated interest in reexamining the reasons for other exclusionary policies or restrictions based on a person's gender identity (Belkin, 2016). This included policies that still limited women from serving in combat-related specialties and restrictions on military applicants who identified as transgender. For many, after removing restrictions on the LGB of LGBT, it seemed a logical next step that military decision makers should explore the possibility of allowing transgender persons to likewise join and serve openly (Belkin, 2016). The process for doing so could have followed the same model used in repealing DADT—that is, performing a comprehensive study of the strengths and weaknesses of the current policy and any consequences in establishing a new, open policy similar to that enacted for gays and lesbians. Yet, as shown in Figure 1, it was some years later, in 2014, that the prospect of changing the policy for transgender persons was first raised publicly by Secretary of Defense Chuck Hagel (Phillips, 2013).

In 2013, Secretary Hagel praised the service of LGB service members during the LGBT Pride Month ceremony at the Pentagon (Hagel, 2013). Secretary Hagel took the opportunity to commend gay and lesbian active-duty members and LGBT DOD employees, stating that they are “integral to America’s Armed Forces” (Hagel, 2013). A year later, Hagel stated that he would be open to studying a change in the policy banning transgender individuals from serving openly (Somashekhar, 2014). Hagel’s successor, Secretary of Defense Ash Carter, followed up on the initiative and formed a working group in July 2015 to study the policy and readiness implications of removing the ban on transgender persons (Carter, 2015a). Secretary Carter further announced that the DOD would not separate any members currently serving or deny their reenlistment based on gender identity without special approval (Carter, 2015b). Subsequently, as seen in the timeline, the RAND Corporation published the mandated study, *Assessing the Implications*

of *Allowing Transgender Personnel to Serve Openly* (Schaefer et al., 2016). The study determined that allowing transgender people to serve would impose negligible impacts on unit cohesion and readiness; the study estimated total costs of removing the ban would be between \$2.4 million and \$8.4 million (Schaefer et al., 2016).



Adapted from (chronologically) Vogel-Fox, Karangu, & Sinclair Broadcast Group (2017); Simon (2015); Seck (2017); Buchert (2018); Gonzales & Raphelson (2018).

Figure 1. Timeline of Key LGBT Events, December 2010–March 2018.¹

¹ Figure 1 is repeated as Figure 13 for formatting purposes.

D. THE “CARTER POLICY”

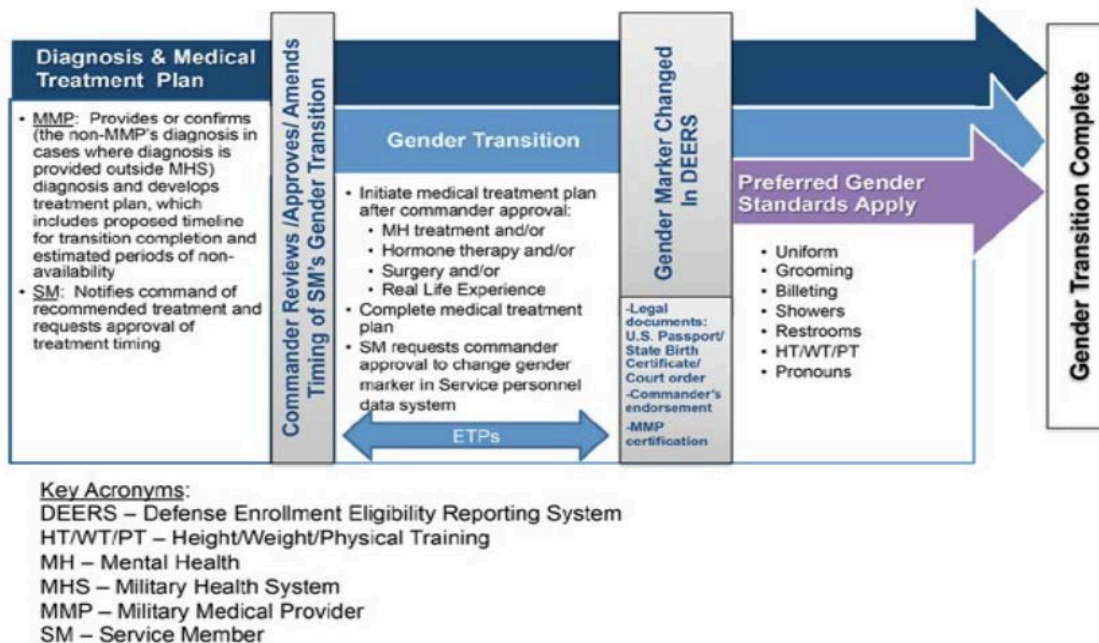
On June 30, 2016, Secretary of Defense Carter announced, “Effective immediately, transgender Americans may serve openly. ... They can no longer be discharged or otherwise separated from the military just for being transgender” (Carter, 2015b; Cronk, 2016). At the same time, Carter directed that a person’s gender identity would not be a reason for prohibiting anyone who is otherwise qualified from entering the military through any accession program (Carter, 2016b; Cronk, 2016). Three months later, the DOD issued DODI 1300.28 as guidance for the transition of transgender service members currently serving (DOD, 2016). The instruction listed prerequisites and procedures required to change a service member’s gender marker in the Defense Enrollment Eligibility Reporting System (DEERS). The instruction also specified medical treatment provisions for transgender service members in active and reserve components (DOD, 2016a). The instruction applied to all organizational entities within the DOD, including the following: the Office of the Secretary of Defense (OSD); the military departments, including the Coast Guard; the Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff; the combatant commands; the Office of the Inspector General of the Department of Defense; the Defense agencies; and the DOD field activities (DOD, 2016a).

Secretary Carter’s new policy gave commanders the authority to exercise their professional judgment on how to enable a service member’s transition, specifically stating that a commander could not deny medically necessary treatment to a service member. The military medical provider would provide the service member with a diagnosis of gender dysphoria, and in conjunction with a commanding officer, create a transition plan that would both support the service member and limit any impacts to readiness. The medical provider can recommend to the commander that the service member’s gender be updated in DEERS when the medical provider concludes that a service member’s transition is complete (DOD, 2016a).

It is important to note the difference between the applicability of this instruction and DODI 6130.03 “Medical Standards for Appointment, Enlistment, or Induction in the Military Service” (DOD, 2011). The applicability of Instruction 6130.03 includes the entities listed above as well as Reserve Components, U.S. Merchant Marine Academy,

applicants for Scholarship or Advanced Course Reserve Officer Training Corps (ROTC), cadets and midshipmen at the U.S. service academies, and personnel on the temporary disability retired list (TDRL; DOD, 2011). At the same time, the instruction excludes individuals in the initial entry or accession stage. Because of this exception, one transgender cadet from West Point and an Air Force Academy cadet were denied their commissions upon graduation (Bromwich, 2017).

Figure 2 shows the gender transition process as outlined by the DOD in its “implementation handbook” (DOD, 2016b). The process begins with the service member and military medical provider (MMP) creating a transition plan. Once the service member’s commander approves the transition plan, the member begins treatment. Once the service member obtains a U.S. passport, birth certificate, or court order reflecting gender change, the member can request the MMP to inform the commander that the transition is complete. The commander may then submit approval and one of the adjusted personal legal documents to the personnel servicing activity and update the gender in the service member’s record (DOD, 2016b). It should be noted that not every transgender person seeks all forms of medical treatment available (Schaefer et al., 2016). Treatments may include a combination or standalone use of psychosocial, pharmacologic, or surgical (Schaefer et al., 2016). The gender transition process is a spectrum; some transgender people choose to transition medically, and others are content to transition socially instead without medical treatment (Schaefer et al., 2016).



Note. In this chart, ETP stands for “exemptions to policy” waivers. ETPs help in the transition process to close the gap between the transition and policy; for example, an FTM service member can request an ETP to wear the male uniform despite their military record reflecting “female” as their gender. Some people transition faster than others, and at times the transition is faster than updating military records.

Figure 2. Gender Transition Process. Source: DOD (2016b).²

Figure 3 is drawn from the 2016 RAND report, *Assessing the Implications of Allowing Transgender Personnel to Serve Openly*, showing estimates of how many people would seek to transition and seek certain levels of care per year. As seen here, analysts estimate that a relatively small amount of people per year—roughly 25 to 130 personnel—would have deployment restrictions (Schaefer et al., 2016).

² Figure 2 is repeated as Figure 8 for formatting purposes.



Figure 3. Estimated Number of Personnel Transitions per Year.
Source: Schaefer et al. (2016).

In July 2017, President Trump announced through the social media platform Twitter that he would not allow “transgender individuals to serve in any capacity in the U.S. military” (Bump, 2017). As justification for the decision, the president cited the burden of “the tremendous medical costs and disruption that transgender persons would entail” (Bump, 2017). Subsequent analysis has found that the minimal cost of discharging one transgender individual and then replacing that person would be \$75,000—and that the cost of replacing all transgender troops currently serving would cost the government roughly \$960 million (Belkin, Barrett, Eitelberg, & Ventresca, 2017).

Figure 4 displays RAND’s estimate of the military’s total cost for providing transgender-related medical care (as adapted by Irving, 2016). As seen here, the estimated cost would be a maximum of \$8.4 million out of a \$6.28 billion budget (Belkin et al., 2017). In short, the goal set by the proposed return to a ban on transgender persons would likely “save” \$8.4 million by spending \$960 million.

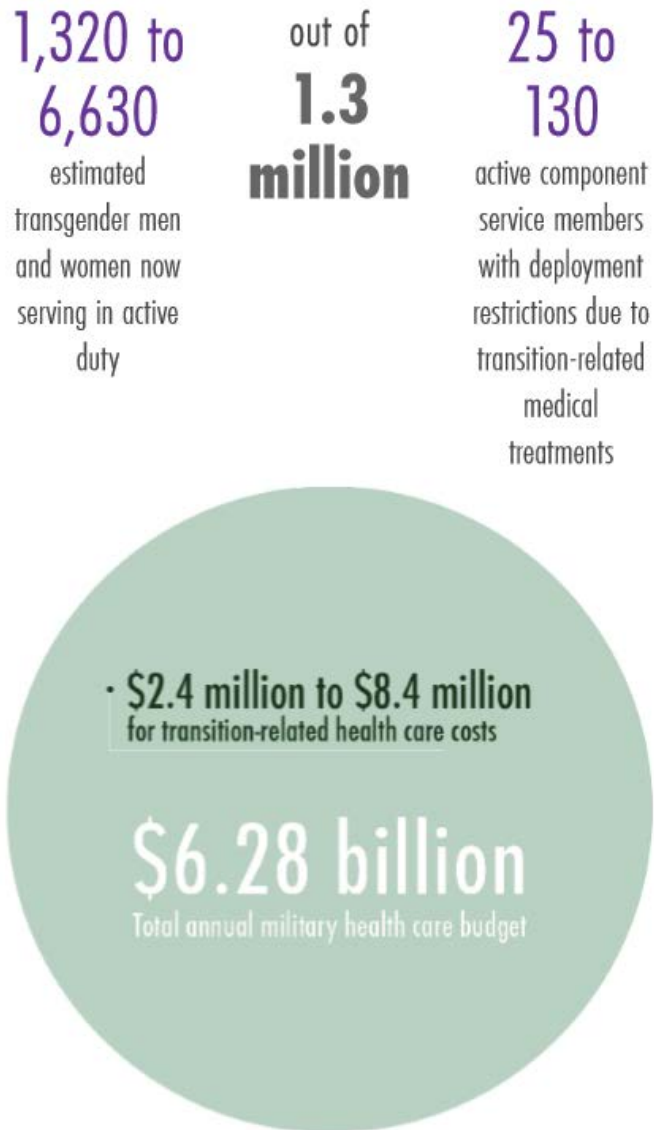


Figure 4. Estimated Cost of Transgender Healthcare.
Source: Irving (2016).³

Two months after President Trump’s announcement, the Chairman of the Joint Chiefs of Staff, General Joseph Dunford, stated his view before the Senate Armed Services Committee that any individual currently serving who meets the military’s medical and physical standards and is deployable should be allowed to continue serving. In 2017, a number of plaintiffs filed separate lawsuits against the Trump administration in four federal

³ Figure 4 is repeated as Figure 10 for formatting purposes.

jurisdictions. Federal judges in these jurisdictions—including U.S. District Courts for the District of Columbia, the Central District of California, the District of Maryland, and the Western District of Washington—later issued injunctions that ultimately stopped President Trump’s policy from taking effect (Segal, 2018). Subsequently, the Fourth Circuit Court of Appeals and the District of Columbia Circuit Court denied motions by the government that would have prevented transgender individuals from joining the military on January 1, 2018, a date established in Secretary Carter’s policy of 2016; as a result, two openly transgender people signed contracts to enlist (Segal, 2018).

E. CURRENT TRANSGENDER MILITARY POLICY

As discussed previously, President Trump’s memorandum of August 2017 directed that Secretary of Defense James Mattis submit a plan for implementing the ban on transgender persons, specifying, “what steps are appropriate and consistent with military effectiveness and lethality, budgetary constraints, and applicable law” (Trump, 2017). In February 2018, Secretary Mattis released a new policy memorandum, modifying the standing policy and essentially reversing the DOD policy of 2016. The memorandum details the process used to develop the new policy, stating that the review panel studied available information on gender dysphoria and the “effects of currently serving individuals with gender dysphoria on military effectiveness, unit cohesion, and resources” (Mattis, 2018, p. 2). The report distinguishes itself from previous analyses by citing new data obtained from within the DOD, while claiming the policy issue has proven to be more complex than the prior administration or RAND had assumed (DOD, 2018). The report strives to discredit the 2016 RAND report, arguing that the analysts used unreliable or limited data to support their conclusions—for example, healthcare costs, readiness, and unit cohesion—and selected experiences of partner, international militaries that cannot compare due to different operational requirements (DOD, 2018). The authors of the DOD report conclude that supporting transgender service would “undermine readiness, disrupt unit cohesion, and impose an unreasonable burden on the military that is not conducive to

military effectiveness and lethality” (Mattis, 2018, p. 2). Finally, Secretary Mattis (2018) advises that the DOD adopt the following policies⁴:

- Transgender persons with a history or diagnosis of gender dysphoria are disqualified from military service, except under the following limited circumstances: (1) if they have been stable for 36 consecutive months in their biological sex prior to accession; (2) Service members diagnosed with gender dysphoria after entering into service may be retained if they do not require a change of gender and remain deployable within applicable retention standards; and (3) currently serving Service members who have been diagnosed with gender dysphoria since the previous administration’s policy took effect and prior to the effective date of this new policy, may continue to serve in their preferred gender and receive medically necessary treatment for gender dysphoria. (Mattis, 2018, p. 2)

While the Department believes that its solemn promise to these Service members, and the investment it has made in them, outweigh the risks identified in this report, should its decision to exempt these Service members be used by a court as a basis for invalidating the entire policy, this exemption is and should be deemed severable from the rest of the policy. (DOD, 2018, p. 6)

- Transgender persons who require or have undergone gender transition are disqualified from military service. (Mattis, 2018, p. 2.)

Except for those who are exempt under this policy ... and except where waivers or exceptions to policy are otherwise authorized, transgender persons who are diagnosed with gender dysphoria, either before or after entry into service, and require transition-related treatment, or have already transitioned to their preferred gender, should be ineligible for service. (DOD, 2018, p. 5)

- Transgender persons without a history or diagnosis of gender dysphoria, who are otherwise qualified for service, may serve, like all other Service members, in their biological sex. (Mattis, 2018, pp. 2–3)

This is consistent with the Carter policy, where transgender persons without a diagnosis of gender dysphoria must serve, like everyone else, in their biological sex. (DOD, 2018, p. 32)

Secretary Mattis justified the conclusions of the study by stating that military service requires sacrifice and that those who serve must “voluntarily accept limitations on

⁴ In this section, both Mattis and the DOD policy report are cited. Mattis (2018) refers to the personal memorandum that prefaces the policy, and DOD (2018) refers to the policy report itself.

their personal liberties—such as freedom of speech, political activity, freedom of movement—ultimately in support of a lethal and ready force” (Mattis, 2018, p. 3).

The authors of the 2016 RAND report issued a rebuttal supporting their analysis and rejecting attempts to discredit the study. The authors restated the goals of the study and reiterated that their team is highly educated and multifaceted, and that their healthcare findings have been validated by prestigious national organizations such as the American Psychological Association (Schaefer, 2018).

In testimony before the Senate Armed Services Committee (SASC) in April 2018, the chiefs of staff of the Navy, Army, and Air Force, as well as the commandants of the Marine Corps and Coast Guard, unanimously agreed that the presence of transgender service members has not harmed unit cohesion in their components (Sisk, 2018). Three former service secretaries, Ray Mabus (Navy), Deborah Lee James (Air Force), and Eric Fanning (Army), issued a statement supporting the testimony of the service chiefs of staff (Williams, Nichols, & Sotomayor, 2017). Additionally, after issuance of the president’s March 2018 memorandum and DOD report, six former U.S. Surgeons General disputed the DOD’s claims about the effectiveness of medical care and fitness of transgender service members (Palm Center, 2018).

F. EVOLUTION OF SOCIAL TRENDS

In 1910, German physician and sexologist Magnus Hirschfield coined the term “transvestite.” The word referred to individuals who felt comfortable and secure when wearing clothing of the opposite sex. Dr. Hirschfield founded the Institute for Sexual Science in Berlin to study sexology (Stryker, 2017). His research revealed a difference between crossdressers and transsexuals, and he was among the first to use hormone replacement therapy (Beemyn, 2014). In 1930, he treated Danish painter Einar Wegener, who transitioned to female and then identified as Lili Elbe. Her story was told years later in the Academy Award–nominated film, *The Danish Girl* (Hooper, 2015). The first transgender man to receive hormone and surgical treatment was Michael Dillon, who underwent the first phalloplasty operation in 1946 (Beemyn, 2014). Dr. Hirschfield’s work

would meet an untimely end in 1933 when his facilities were burned by Nazis and he fled the country (Beemyn, 2014; Stryker, 2017).

Meanwhile, in the United States, Christine Jorgensen pioneered sex reassignment surgery by publicizing her transition throughout the 1950s. In December 1952, the *New York Daily News* described her transition in a cover story with the headline, “Ex-GI Becomes Blonde Beauty” (Beemyn, 2014; Stryker, 2017, p. 28). In 1953, Ed Wood, Jr., would debut his film, *Glen or Glenda*, with the storyline depicting differences between persons who are intersex, crossdressers, and transgender (Wood, 1953).

The 1960s and 1970s saw the first legislation regarding transgender people and the rise of transgender activism. Jose Sarria, an openly-transgender candidate for the San Francisco Board of Supervisors, placed ninth in the election. Across the country, transgender women led the clash against police officers in New York City at the Stonewall Inn while advocating for safe spaces for queer people (Stryker, 2017). In 1968, the International Olympic Committee (IOC) began chromosome testing of female athletes and banned transgender and intersex people. The IOC reversed this decision in 2002 (Beemyn, 2014).

The first gender clinic in the United States opened at Johns Hopkins Medical Center in 1966 (Beemyn, 2014). A year later, Dr. John Money, a psychologist and sexologist at Johns Hopkins, attempted to prove that gender is malleable from an early age (Gaetano, 2017). He performed sex reassignment surgery on David Reimer, whose parents then raised him as female (Gaetano, 2017). Later in life, David Reimer suffered from gender dysphoria, attempted to transition to male, and committed suicide at the age of 38 (Gaetano, 2017). Throughout the late 20th century and early 21st century, increased media coverage and homicide worked to bring transgender issues more into the social mainstream. For example, *Boys Don't Cry* (Peirce, 1999) and *Soldier's Girl* (Pierson, 2003), two movies of the period, tell the stories of transgender people who were murdered when their identities were discovered (Stryker, 2017; Pierson, 2003). More recently, Laverne Cox made headlines as the first transgender actress nominated for an Emmy (Gjorgievska, 2014). Amazon's web television series *Transparent* (Soloway, 2014) follows a family whose patriarch has decided to transition to female. The show employs transgender actors for

transgender roles and has won 50 prestigious awards (along with 102 nominations), including the Golden Globes, the British Academy of Film and Television Award, the Screen Actors Guild, the Academy of Television Arts & Entertainment (Emmy Awards), the Gay and Lesbian Entertainment Critics Association, and many other organizations (Soloway, 2014).

This chapter reviewed the background regarding the transgender military policy. The author reviewed the historical exclusionary practices within the military, past and present transgender military policies, and social trends of public opinion regarding transgender people. The ultimate policy regarding transgender military service is undetermined at this time, but if the trend continues as history suggests, it can be assumed that transgender military service will be debated for a long time to come until civil rights prevail.

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III. METHOD

A. PROJECT OBJECTIVE AND APPROACH

The objective of this project was to develop a teaching case to generate classroom discussion of transgender service in the military. There are very few teaching cases focused on managing gender identity in the workplace, and teaching cases focused on the challenges facing transgender males are even rarer. Most of the limited teaching cases on managing gender identity in the workplace focus on transgender women. A search for transgender cases in the Harvard Business Publishing Education, Howard University College of Medicine, and the Digital Transgender Archive resulted in 23 teaching cases, two of which had transgender men as the main subject.

The teaching case developed for this project is based primarily on publically available, secondary data, supplemented by review clarification by the protagonist. The author identified secondary sources through a systematic review of Navy policy documents and media coverage of the event. The author used documents and media reports to identify key events, policies, and changes in the Navy's position towards transgender service members. This information enabled a search for an appropriate case and subsequent searches provided new reports and a blog related to the specific case.

Guidance for the teaching plan and conceptual analysis came from the Western Case Writers Association. Both chapters provide important background information regarding the case. The teaching plan enables class discussion, and the conceptual analysis provides the theory supporting the methods used in the teaching plan. Relevant literature on leadership, ethics, diversity management, and communication provided theories and concepts applicable to the case situation, which informed the analysis of the case situation and the teaching plan.

B. SUBJECT SELECTION

The author selected the subject of this case study through a review of a Google search on the terms "transgender policy and U.S. navy sailor" using the time range January 1, 2014, through June 1, 2015. This range covered the time period from when Secretary of

Defense Chuck Hagel first announced support for continually reviewing the transgender military policy thorough when Secretary of Defense Ash Carter announced his directive to execute a study of transgender military service. During this time period, transgender sailors could not serve openly and their stories were likely to provide opportunities for rich discussion. This time period was key to finding a subject who was impacted by the policy banning transgender people from serving in the military. A search executed after 2015 would have yielded a transgender candidate who could serve in the military openly and would not be the best protagonist for the case. The author then filtered the results to include only news stories and to exclude stories with the words “murder” and “death,” as many results were reports of murders of transgender people. The search term “transgender policy and U.S. navy sailor, -death, -murder” between 2014 and 2015 resulted in 71 links. Of those results, three of the first 10 discussed a sailor named Landon Wilson. After reviewing articles from the *Washington Post*, *Huffington Post*, and *Daily Beast*, the author determined that Landon’s story provided the richest data that would be most likely to generate discussion in a teaching case. The search also returned results regarding Kristen Beck, a transgender woman who served as a Navy SEAL. However, she did not transition while in the service, but rather retired and then began to transition. The search results also included stories regarding transgender service members from other services, including international militaries. These results did not meet the objective of this project, to create a teaching case focused on the U.S. Navy.

C. DATA COLLECTION AND ANALYSIS APPROACH

1. Case Scenario Data and Analysis Approach

The author began collection of data about the subject of the case study, Landon Wilson, through Google searches on “‘Landon Wilson’ transgender policy and U.S. Navy sailor.” The search returned 262 results. This initial search included a book titled *Brother in Arms: A Transgender U.S. Navy Sailor’s Memoir*. A search for the title in books.google.com revealed that the book was not in print or for sale. The synopsis of the book on the website credited Landon with authoring a blog titled “I Wear the Same Uniform as You,” detailing personal events while he prepared to serve in Afghanistan. A

Google search of “‘Landon Wilson’ Navy ‘I wear the same uniform as you’” resulted in seven results, the first of which linked directly to his blog on the website Tumblr. Using the “Archive” tab on the website and filtering by “text” revealed 86 posts written by Landon. These posts served as the primary data for the case.

The author read each post in chronological order and copied and categorized quotes related to leadership, ethics, communications, diversity management, or a key event to a spreadsheet. Direct quotes by Landon to others were also copied and categorized if they applied to ethics, communications, or a key event. This resulted in a spreadsheet containing 72 quotes of from one to several paragraphs long. Some of the blog posts included comments from people who followed Landon’s journey. The author read those comments as well.

The author also searched “‘Landon Wilson’ transgender policy and U.S. Navy sailor,” filtering for news only between January 1, 2014, and June 1, 2015. This search returned 11 new reports. Six of these reports were in major news outlets (e.g., *Washington Post*, *New York Times*, and CNN). These reports provided background information, supported the construction of a timeline of events, and provided an additional source of coverage of the events that Landon described. The author added direct quotes from participants in the events from the news reports to the spreadsheet if they applied to leadership, ethics, communications, diversity management, or a key event to create a timeline. This resulted in seven additional quotes.

The author created a scenario timeline from key events identified in the blog posts and news reports. The timeline and quotes formed the basis for a first draft of the teaching case narrative. The author discussed the draft of the teaching case narrative with Landon Wilson during a telephone discussion lasting one hour and 10 minutes. The discussion was recorded and transcribed. The author added detail and quotes from the transcription of the discussion to the case scenario.

2. Policy Timeline Data Collection and Analysis Approach

To collect data on policy changes regarding civil rights and the military, the author conducted a Google Scholar search of the terms “US military transgender, LGBT, ‘policy’

‘timeline’ or history.” The search returned 331,000 results and the author noted that many results included information on HIV and AIDS, which were not relevant to the project objective. A modified search on “US military transgender, LGBT, ‘policy’ ‘timeline’ or history, -HIV, -AIDS, -bathroom, -church” and the time range January 1, 2014, and June 1, 2015, yielded 104 results. The term “bathroom” was removed from the search to eliminate articles referring to the anti-transgender bathroom bills proposed in North Carolina. “Church” was removed from the search to eliminate editorials from religious institutions.

Of the 104 final reports, three of the top 10 provided a timeline of LGBT policy: *New York Times*, NavalHistory.org, and WJLA (a Washington, DC, news source). The three results provided sufficient redundancy in data that the events were verifiable and used to create a timeline in civil rights policy changes within the DOD. Additionally, Secretary Carter’s announcement in July 2016 referenced a RAND study. The search “RAND ‘transgender military’ study 2016, -#” with the added time range of January 1 to December 31, 2016, returned five results. The term “-#” filtered out blog posts and social media feeds. The RAND reports provided added detail on past and current transgender policy efforts to the timeline.

IV. TEACHING CASE: TRANSGENDER SAILORS, LEADERSHIP CHALLENGES, AND ETHICAL DILEMMAS

Every qualified American who wants to serve our country should have an opportunity if they fit the qualifications and can do it.

—Chuck Hagel, May 2014 (as cited in Peralta, 2014)

A. BACKGROUND

In May 2014, Secretary of Defense Chuck Hagel stated that he would be open to continual review of the policy banning transgender people from serving in the military (Peralta, 2014). A year later, his successor Ash Carter issued two directives. The first directive established a working group to “study the policy and readiness implications of welcoming transgender persons to serve openly” (Carter, 2015a). The second directive made it harder to discharge a transgender service member by elevating the level of authority needed to approve the discharge to Under Secretary for Personnel and Readiness Brad Carson. Carson was given the authority to make determinations on all impending separations (Carter, 2015a). The policy banning transgender personnel from serving openly in the U.S. military was repealed in the summer of 2016 and was challenged by President Donald Trump a year later (Bromwich, 2017). Other militaries, including those of Great Britain, Australia, and Canada, have allowed transgender people to serve without complications (Schaefer et al., 2016).⁵

B. MOTIVATION TO ENLIST AND PROFESSIONAL HISTORY

Landon Wilson joined the Navy at 21 years old in 2011 (Signorile, 2014). After high school, he worked in retail, at a center for autistic youth, and then as a personal trainer before considering enlisting in the military (T. Borja, phone interview with L. Wilson, May

⁵ This case was developed solely as a basis for class discussion. It is not intended as an endorsement, source of primary data, or illustration of effective or ineffective management. The case details the events leading to the discharge of a transgender male sailor (i.e., a sailor who was assigned female at birth and identified as male). The sailor, Landon Wilson, maintained an online blog detailing his experiences. His blog and news media outlets provided data to construct the teaching case.

9, 2018)⁶. His hometown was the location of Robins Air Force base, which influenced Landon's decision to join the Navy:

I joined the military, specifically the Navy, because it was the furthest thing from my hometown. I grew up in an Air Force area so when I began to seriously consider the military I knew I didn't want to do Air Force. When you spoke with a Navy recruiter [they could] sell you pretty easily on the travel opportunities and phenomenal job positions that [are available]. (Interview, 2018)

Landon enlisted as a cryptologic technician—collection, also known as CTR. The Navy cryptologic community as a whole deciphers information—sometimes in foreign languages—to generate top-secret intelligence and assist in understanding the inner workings of adversaries to provide unmatched knowledge of the battlespace (“Cryptologic Technicians,” n.d.). As a CTR, Landon could serve on land, submarines, aircraft, and ships (CTR, n.d.). Using video, computers, and tape recorders, he would collect, analyze, and report communication signals. Landon was expected to provide in-depth analysis of communications signals using state-of-the-art equipment. It was his duty to provide critical intelligence information to decision makers (CTR, n.d.).

After boot camp, Landon went to Pensacola, FL, where he was trained in the basic operation of equipment he would operate in the fleet, completing what in the Navy is called “A” school. He reported to his new home command in Hawaii in May 2012, where he served as the Navy representative in a unit within the National Security Agency. His rank was CTRSN, an E-3 Seaman (Figure 5). Landon was a model sailor. He was recognized out of 10,000 of his peers as an excellent performer and awarded the Junior Sailor of the Quarter Award and the Blue Jacket of the Quarter Award (Interview, 2018). The awards were a Department of the Navy (DON) program that recognized sailors who demonstrated superior professional and personal performance, and has a history of “sustained superior performance, command impact, mission contribution, proven leadership” and “dedication to self-improvement” (DON, 2012, p.1). The award could lead to better promotion opportunities and more pay (Interview, 2018).

⁶ For the remainder of this case, the May 9 interview between the author and Wilson is cited as follows: (Interview, 2018).

Compelled to serve his nation in a more dynamic role, Landon applied for, and was approved by his command for, an Individual Augmentee (IA) tour in Afghanistan. An IA tour would fulfill Landon's desire to deploy, something that would not be possible at his current command since it was shore-based. The U.S. military offered IA tours to fill manpower shortages within a unit or to meet the need for a specialized skill set. Service members filling IA roles often worked for other branches of the military, usually the Army. In Landon's case, the Army needed his skill set in Afghanistan. He would ultimately be assigned to be part of a 10-man team that would gather secret intelligence and provide assistance to Special Operations forces.

C. LONDON'S STEPS TOWARD GENDER TRANSITION

Wilson had felt his gender was male since age three or four. "I remember announcing proudly to my mom that this whole girl thing just wasn't cut out for me," said Wilson (LaPook, 2015). He adopted a masculine appearance during adolescence, he wore his hair short, and he dressed in men's clothing. A strong sense of patriotism coupled with the pro-masculine culture of the military led him to enlist in the Navy (LaPook, 2015). When asked about his time in the service, he stated he would "do it all again in a heartbeat" and that the time he spent in Afghanistan was personally and professionally fulfilling (Interview, 2018).

The policy banning lesbians, gays, and bisexuals from serving openly, Don't Ask, Don't Tell (DADT), was repealed in September 2011. The repeal of DADT did not permit transgender service members to serve openly. Despite the policy, Landon began hormone replacement therapy (HRT) in November 2012 as an initial step towards gender transition. "I just got to the point I knew that I could do a better job if I transitioned," he said about why he started transitioning (Interview, 2018). At first he thought it would be impossible to transition while in the service, but then he found a YouTube video of an Air Force service member describing his own transition (Interview, 2018). Since the military did not provide transgender medical care, Landon found a doctor outside of the military who could provide him with HRT. "Being in Hawaii there are more opportunities [to receive transgender health care]. Hawaii is an informed consent state so there were ... [few] barriers in my way

and I was able to make that first appointment and leave the same day having gotten my first shot [of testosterone]” (Interview, 2018).

Even though certain changes were noticeable, such as his growing facial hair and deepening of the voice, his command leadership did not confront him. Landon explained, “I feel like I transitioned really quickly, my voice dropped very fast. Within the first two to three months it became really awkward for people who didn’t know me to navigate pronouns.” He said he was only confronted by his mentor, just before departing for training for Afghanistan, who asked him if he knew Kristen Beck (a Navy Seal who came out as a trans woman and received considerable public attention). “I said no ... but he was very cool about it ... From then on I felt that he supported me and he knew what the situation was. He gave no indication that there was a problem for him” (Interview, 2018). Landon knew people asked questions but figured no one took issue with his changes since he had the support from his mentor and he was good at his job. As Landon’s outward appearance teetered in androgyny, his coworkers still referred to him using female pronouns, whereas strangers and those outside of his unit would sometimes use male pronouns. Despite the pronoun confusion, his work ethic and professionalism made him a prime candidate to serve in a challenging role in Afghanistan.

D. THE TRAINING PIPELINE—PREPARING FOR AFGHANISTAN

A sailor is assigned a mentor and is guided throughout their time at the command, sometimes two to five years; however, the mentorship could last a lifetime. Landon had a mentor who was a petty officer first class (E-6; Figure 5). The mentor supported Landon’s desire to pursue an IA assignment and introduced him to a chief petty officer (Figure 5) at his command who held weekly physical training sessions for personnel interested in the Tactical Information Operations (TIO) program. The TIO program required duty in arduous combat environments, often in an isolated role. Persons filling roles within the TIO program were expected to provide cryptologic support to Special Operations Warfare Command (e.g., Navy SEALs). Landon began attending the weekly training sessions to better prepare for his tour in Afghanistan. This initial training would prepare Landon for

the physically demanding training he would later encounter. He was perceived as male by his counterparts and had no problems completing physical training to male standards.

Before reporting to his ultimate duty station in Afghanistan, Landon had to check out of his then current command and commence the training pipeline for his new job. The training pipeline consisted of four training stops to prepare him for his upcoming tour. The first stop was a week-long administrative period in Norfolk, VA, where service members ensured that their medical and administrative records were up to date. The second stop consisted of four weeks of Army combat training in Fort Jackson, SC. The third stop was approximately one month of training with the Army Joint Special Operations Command. The final stop required one month of specialized training to prepare for specific role and responsibilities in Fort Meade, MD.

Landon departed Hawaii in August 2013 to his first training stop in Norfolk, VA. This training stop consisted of a week-long period of ensuring his medical records were up to date. He also received uniforms and training on what to expect throughout the rest of the pipeline. Landon was housed in a two-person hotel room along with another male. When asked about how he felt about bunking with men, he said, “It just felt natural. I think it would have been more uncomfortable for everyone had I been rooming with females” (Interview, 2018). He admitted feeling nervous during each new check-in because he did not know how he should respond if anyone should confront him about any discrepancies regarding his administrative gender (female) and his visible gender (male; Wilson, 2013; Interview, 2018).

He also had concerns about whether he would be issued a male or female uniform. “I checked in and the lady processing the paperwork looked at my paperwork, then looked at me and sent me to stand in line with the other males [receiving their uniforms]” (Interview, 2018). As Landon checked in to the new command’s medical unit, he was given a pink sheet of paper in his medical record that was meant for females. Early one morning, he reported to medical to submit his documents where he encountered a petty officer who was processing the files. The petty officer remarked about how odd it was that the pink paper was stapled on Landon’s file and dismissed the mistake since Landon had an androgynous first name. The two laughed about the situation, then the petty officer

suggested that Landon get the name changed (Wilson, 2013). The petty officer removed the pink paper, and Landon continued with the rest of the medical process. The medical staff, following protocol, saw the “F” box ticked off in his record and ordered a pregnancy test. The female corpsman who administered the test remarked how strange it was that they were having her issue the test on a male and commented to Landon that it would probably be the first and last time she would ever do so (Wilson, 2013). Landon was instructed to go to the male restroom and provide a sample (Interview, 2018). Amused, Landon was grateful that the situation did not escalate and that he was allowed to continue with the training.

Landon worried about possible encounters he might have as he proceeded through the training. What if someone who knew him in boot camp, as female, confronted him? What if he were assigned to female barracks based solely on his files; would the command consider it a mistake once they saw him? Would the situation escalate? The thought experiment left him feeling envious of those who could afford to take the process for granted (Wilson, 2013). He knew his next training stop would have open bay barracks but at least would have private showers and bathrooms. The question was whether or not his name would already be on the female berthing list before he arrived.

The day of checking into his second training stop arrived. This training stop entailed combat training. There were gender-exclusive buildings, and there would be days when Landon would train solely with men. “We would sometimes have segregated training like for first aid and combat carries” (Interview, 2018). Everyone was issued a pistol and M17 rifle. When it came to barracks assignment, an administrator called out barracks while Landon and others stood in line. As luck would have it, Landon was assigned to male barracks. His next hurdle resided yet again in medical. Landon was concerned that the medical senior chief who was accepting records might examine his record and draw attention to his situation. Once it was Landon’s turn to check in, the senior chief asked what shots Landon required. Landon offered his records and the senior chief replied, “I don’t want to see your record unless there’s something in it you want me to see, shipmate.” Landon told him what shots he needed and then sat down (Wilson, 2013).

Later that day, he met with a male friend called “S”⁷ who told Landon about an interaction he had with a male shipmate referred to as “C.” Landon had known “C” for a long time, before Landon transitioned (Wilson, 2013). Landon was nervous, wondering if the two had discussed his gender identity and was worried that “S” might now know his secret. “S” mentioned nothing and Landon was relieved that his secret was yet again safe.

Towards the end of this training phase, Landon, “S,” and “C” engaged in a conversation with other males in his unit discussing the subject of females in combat roles. A petty officer who used to be in the Marine Corps commented that he believed if a female could do the training without lowering standards, that she should be allowed to fill the role. He tapped Landon on the shoulder and added, “This guy is built like a tank and he may even struggle with [carrying me off the field].” Sitting across the table from Landon, “C,” who had known Landon previously as a female, remained silent (Wilson, 2013).

At the third training stop, Landon was issued a hotel room with other males. This training was in an office setting. Landon learned to work with personnel from the Army Joint Special Operations Command. Coming from a Navy background, Landon had to learn to “speak” Army and learn how the Army operated. Landon was predominantly “stealth” during this timeframe, meaning everyone who encountered him saw him as male and no one knew anything about his past.

At his fourth and final training stop in Fort Meade, MD, Landon had to undergo a psychiatric evaluation as part of the pre-deployment screening. As he filled out the paperwork, he left the gender section blank and handed the forms to the instructors. A few minutes later, an instructor called for him to rise, only to say that she wanted to see his gender and called him “sir” (Wilson, 2013). Landon was relieved and proceeded to mark “male” on subsequent forms. Moments later, he entered the evaluation and passed without issues, the evaluator referring to him as male throughout the interview.

During this training period, Landon ran into a female co-worker from his home duty station in Hawaii. She had messaged him in the weeks prior to his arrival at Fort

⁷ Landon preferred to protect the privacy of his coworkers and referred to them by a designated alphabetical letter.

Meade, stating they should meet for lunch. He declined the offer, explaining, “I didn’t know how she would respond. I didn’t want to put her in a position where she felt uncomfortable” (Interview, 2018). Despite his efforts to avoid the encounter, Landon passed by her while walking on base with a group who knew him solely as male. Panic raced through him as he approached his former co-worker. Landon feared that she would greet him with an enthusiastic “Hey girl!” but she did not. The two made eye contact as they passed each other and the former co-worker mentioned nothing. Landon assumed she did not recognize him (Interview, 2018).

E. AFGHANISTAN

With his training completed, Landon reported to Afghanistan in early November 2013, where he resided in close quarters with other men in an eight-person shipping container; he rarely saw the other men since he worked the night shift. This was a relief because Landon had more privacy to change clothing, thus diminishing the risk of being outed. He began work immediately and reported to an Army sergeant major (Figure 5). He was tasked with intelligence gathering and provided support to Special Operations troops during 12-hour night shifts. He worked in a supervisory role with a unit made up mostly of civilians from the National Security Agency (NSA), Federal Bureau of Investigation (FBI), one Army staff sergeant (Figure 5), and military representatives from the United Kingdom and Australia. Landon was personally and professionally fulfilled through these responsibilities (Interview, 2018). His work felt meaningful and impactful and contributed directly to U.S. efforts in Operation Enduring Freedom. It was to Landon’s advantage that he worked with mostly civilian people and foreign military; his co-workers saw Landon’s full name, feminine middle name included, in his computer credentials on emails and never raised any concerns (Wilson, 2013). As far as anyone was concerned, Landon was a team player and an asset to the unit. “I think no one said anything because Britain has had open trans[gender] service forever now so they didn’t know any better. ... They just cared that I did my job. ... I made it clear that that’s what I wanted to do” (Interview, 2018). Landon used downtime to learn more about what skills and responsibilities the NSA or FBI people in his unit had: “I wanted to make sure that I had other background, experience, and knowledge so I could demonstrate it if I needed to” (Interview, 2018).

Landon's mentor contacted him in late November to see how he was doing: "[He asked me] 'do they all think you're a guy over there?' and I ignored it" (Interview, 2018). Landon's chief then called and advised Landon to come out and explain his situation to his Army leadership, saying that the issue was about integrity and trust (Wilson, 2013). Landon was upset that his mentor had broken their trust and confronted him, asking why he told the chief. The mentor replied he was concerned for his safety and did not want the issue to arise when his Army leadership saw "female" listed in his paperwork (Interview, 2018; Wilson 2013). Landon informed the mentor that his paperwork read "male" and that he had had no problems up to this point. His mentor apologized, but the secret was revealed.

In December 2013, Landon's Navy leadership in Hawaii had to process paperwork for Landon's promotion to E-4, or petty officer third class (Figure 5). His chief in Hawaii contacted Landon's Army leadership in Afghanistan to request information because Landon's gender came into question. "My Navy command referred to me using female pronouns, and my Army command was using male pronouns and [there was confusion]" (Interview, 2018). Then, during his evening shift, Landon was summoned to the sergeant major's office. "So what are you?" the sergeant major asked (Londoño, 2014; Interview, 2018). The sergeant major continued, "I just don't understand why this document says male and your Navy record says different" (Wilson, 2013). The sergeant major asked to see what was on Landon's driver's license, which Landon said had "male" on it. "[He said] 'I don't believe you,' so I showed him and said, 'Look, Sergeant Major, I'm not lying to you; this is what it says,' and he dismissed me immediately (Interview, 2018). Then an hour or so later the senior chief in the area told me I was going home" (Interview, 2018). Landon was escorted to his bunk and supervised while he packed his belongings and was not allowed to say goodbye to anyone (Interview, 2018).

I think all those factors [the safety concern and promotion paperwork] combined caught their attention. If the concern hadn't been there from my command in Hawaii, I don't think they would have caught it. ... I don't think my chief outed me intentionally because ... he had no idea I was transitioning; he was pursuing it from a [place] of concern but by doing so raised more concerns that weren't there in the first place. (Interview, 2018)

He flew back to Fort Jackson, SC, where he met with the sergeant major of the base, who told him, “I know we’re overreacting but we don’t know what to do with you” (Interview, 2018). Landon appreciated the sergeant major’s honesty but still thought he was more than capable of continuing to do his job. He was concerned about the mission, not himself. Landon did not know what the sergeant major in Afghanistan told his unit or how he explained Landon’s sudden absence.

Landon then returned to Norfolk, VA, where he had to meet with a civilian from the behavioral health department who asked if he had been intentionally lying about his gender the whole time. The civilian also asked, “How does it make you feel knowing that I know you’re really a female?” Feeling offended, Landon replied, “Dude you’re full of shit” and walked out (Wilson, 2013).

A few days after his return to Hawaii, he was promoted to petty officer third class and received a commendation letter from a vice admiral (Londoño, 2014). Landon’s Navy leadership scheduled a meeting to debrief the events that brought him back home. His chief asked, “You want to be referred to as ‘he’ and ‘him,’ correct?” Landon answered yes (Wilson, 2013). Throughout the discussion, his chief praised Landon’s character and work ethic, sympathized with his situation, and proposed two solutions. The chief told Landon he had to choose to either continue to serve and not transition, or be discharged. Landon later recalled his response to the chief:

“I’m not the first. I will most certainly not be the last.” [The chief] opens his mouth to say something, but I cut him off, desperate for him to hear me before I lose my strength to tell him these things that feel so personal but must be on display. “Anyway, at what point do I decide that I’ve made enough sacrifices for the ‘greater good’ and walk away to take care of myself? I know that I would be happier being out, being able to be myself without worry about losing everything. But I also try to embody ‘honor’ with everything I do, and walking away from this. ... Where’s the honor in that?” (Wilson, 2013)

The chief offered mentorship and consolation and admitted that the Navy had no guidance on how to handle this situation. It became clear to Landon that at the end of the day, he needed to take care of himself and he opted for discharge. He was honorably discharged in March 2014.

F. EPILOGUE

After his discharge from the Navy, Landon dedicated himself to advocacy work and lobbying in support of open transgender service in the military (Figure 6). He appeared on various news channels, participated in panels in LGBT conferences, and traveled internationally to meet with transgender service members in the United Kingdom. The Navy adopted a policy allowing open transgender service in summer 2016, issuing the following statement:

[We in] the Defense Department and the military need to avail ourselves of all talent possible ... to remain what we are now—the finest fighting force the world has ever known. ... Our mission is to defend this country, and we don't want barriers unrelated to a person's qualifications to serve preventing us from recruiting or retaining the soldier, sailor, airman, or Marine who can best accomplish the mission.

—Secretary of Defense Ash Carter (2016b)

Secretary Carter's (2016b) statement highlighted the manning and recruitment challenges facing the military. If the transgender population offered high talent and a propensity to enlist (Figure 7), the Department wanted to avail itself of that talent.

The DOD created a streamlined process (Figure 8) that would allow transgender service members to receive care and administrative support. Transgender service members were allowed to serve openly from July 2016 until March 2018. The Trump administration challenged the policy in July 2017, claiming that the policy would entail disruption and medical costs (Figure 9). RAND Corporation and the Palm Center have offered healthcare estimates that counter the White House's claims. According to these organizations, because the transgender population is a small percentage of the total military, medical costs would be negligible (Figure 10 & 11; Schaefer et al., 2016).

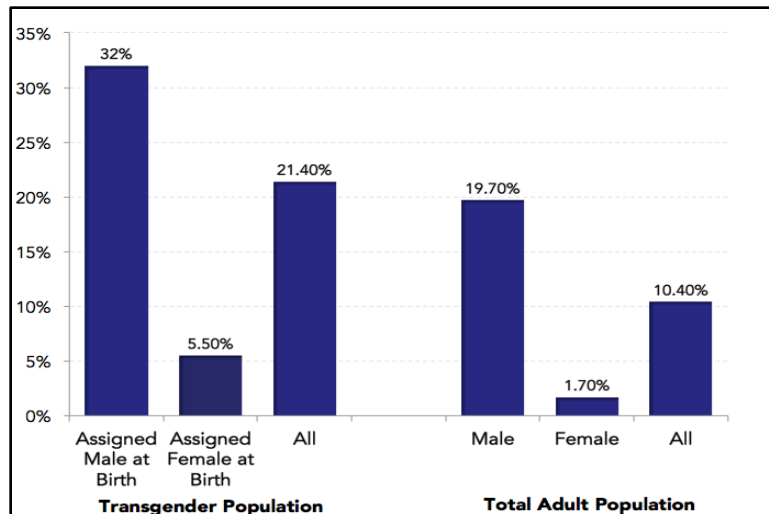
As of April 2018, the latest policy grandfathered transgender service members who came out during the Obama administration and allowed them to serve openly. The April 2018 policy prohibited other transgender service members from coming out about their gender identity and seeking medical care. Four federal courts ruled against the ban. As of April 2018, the status of the policy remained undetermined.

ENLISTED										
E-1	E-2	E-3	E-4	E-5	E-6	E-7	E-8	E-9		
ARMY										
no insignia										
Private E-1 (PV1)	Private E-2 (PV2)	Private First Class (PFC)	Specialist (SPC)	Sergeant (SGT)	Staff Sergeant (SSG)	Sergeant First Class (SFC)	Master Sergeant (MSG)	First Sergeant (1SG)	Sergeant Major (SGM)	Command Sergeant Major (CSM)
SENIOR ENLISTED ADVISORS										
Sergeant Major of the Army (SMA)										
NAVY										
no insignia										
Seaman Recruit (SR)	Seaman Apprentice (SA)	Seaman (SN)	Petty Officer Third Class (PO3)	Petty Officer Second Class (PO2)	Petty Officer First Class (PO1)	Chief Petty Officer (CPO)	Senior Chief Petty Officer (SCPO)	Master Chief Petty Officer (MCP0)	Force or Fleet Command Master Chief Petty Officer (FORMC) (FLTMC)	Master Chief Petty Officer of the Navy (MCPON)

Figure 5. Rank Insignia of the U.S. Army and Navy.
Source: "Military Ranks" (n.d.).



Figure 6. Landon on Ronan Farrow Daily. Source: Wilson (2014).



Source: Christopher (2016). Adapted from Gates & Herman (2014).

Figure 7. Transgender People Exhibit a Higher Tendency to Enlist.

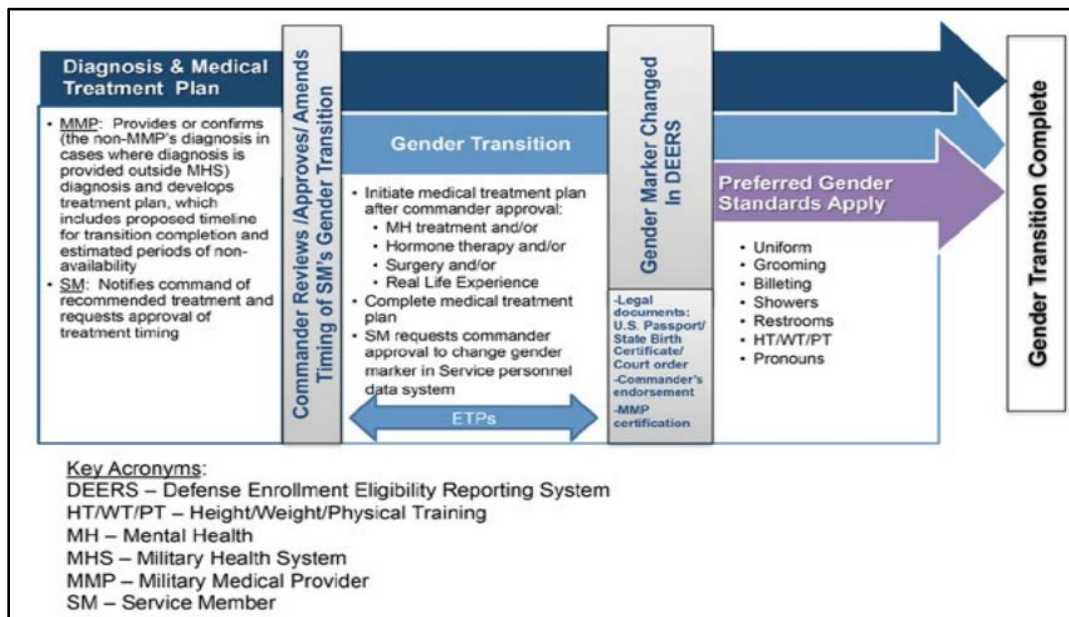


Figure 8. Gender Transition Process. Source: DOD (2016b).

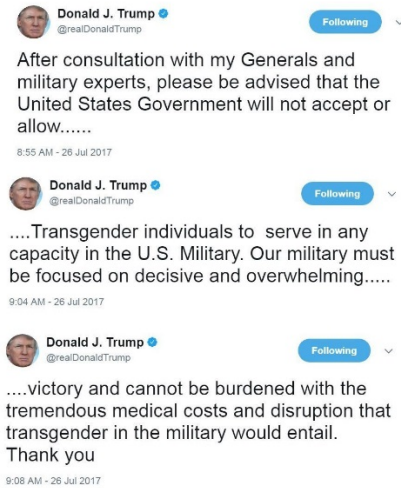


Figure 9. President Trump Announces Transgender Ban (Trump, 2017)

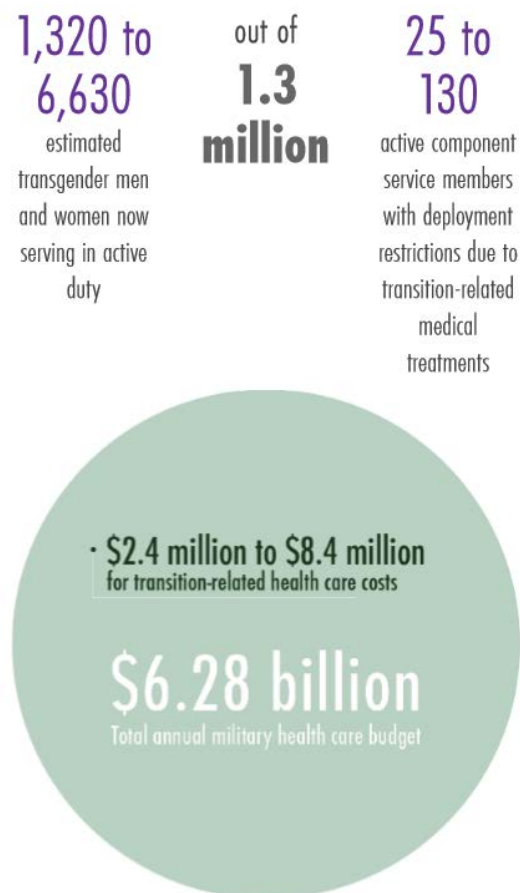
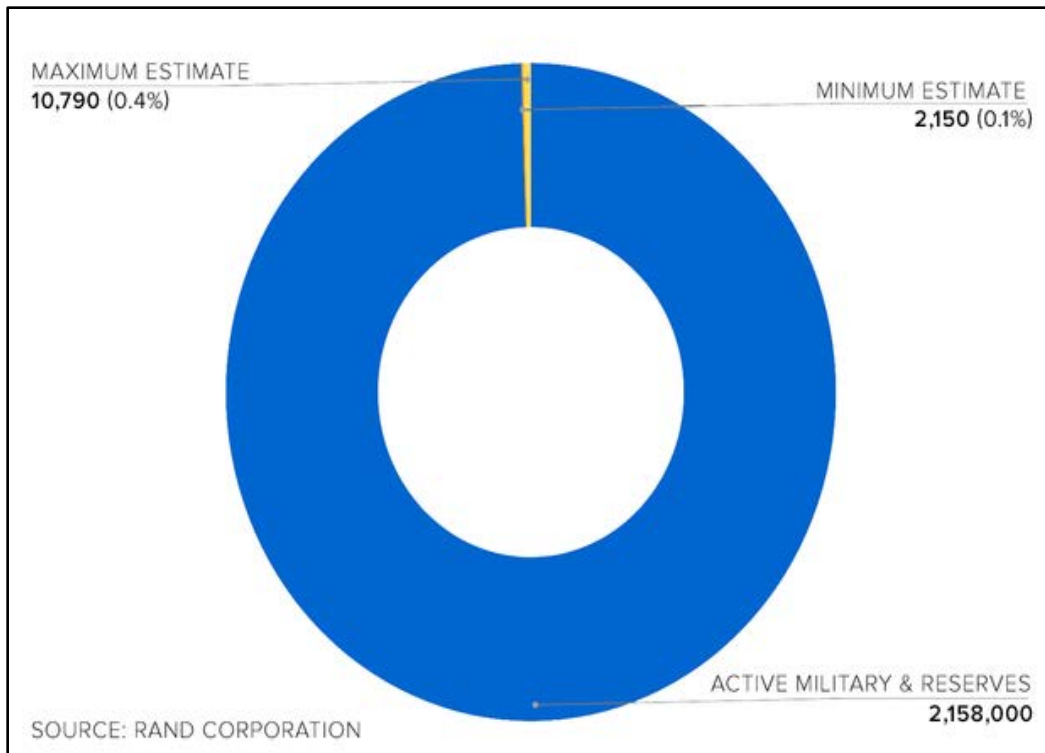


Figure 10. Estimated Cost of Transgender Healthcare.
Source: Irving (2016).

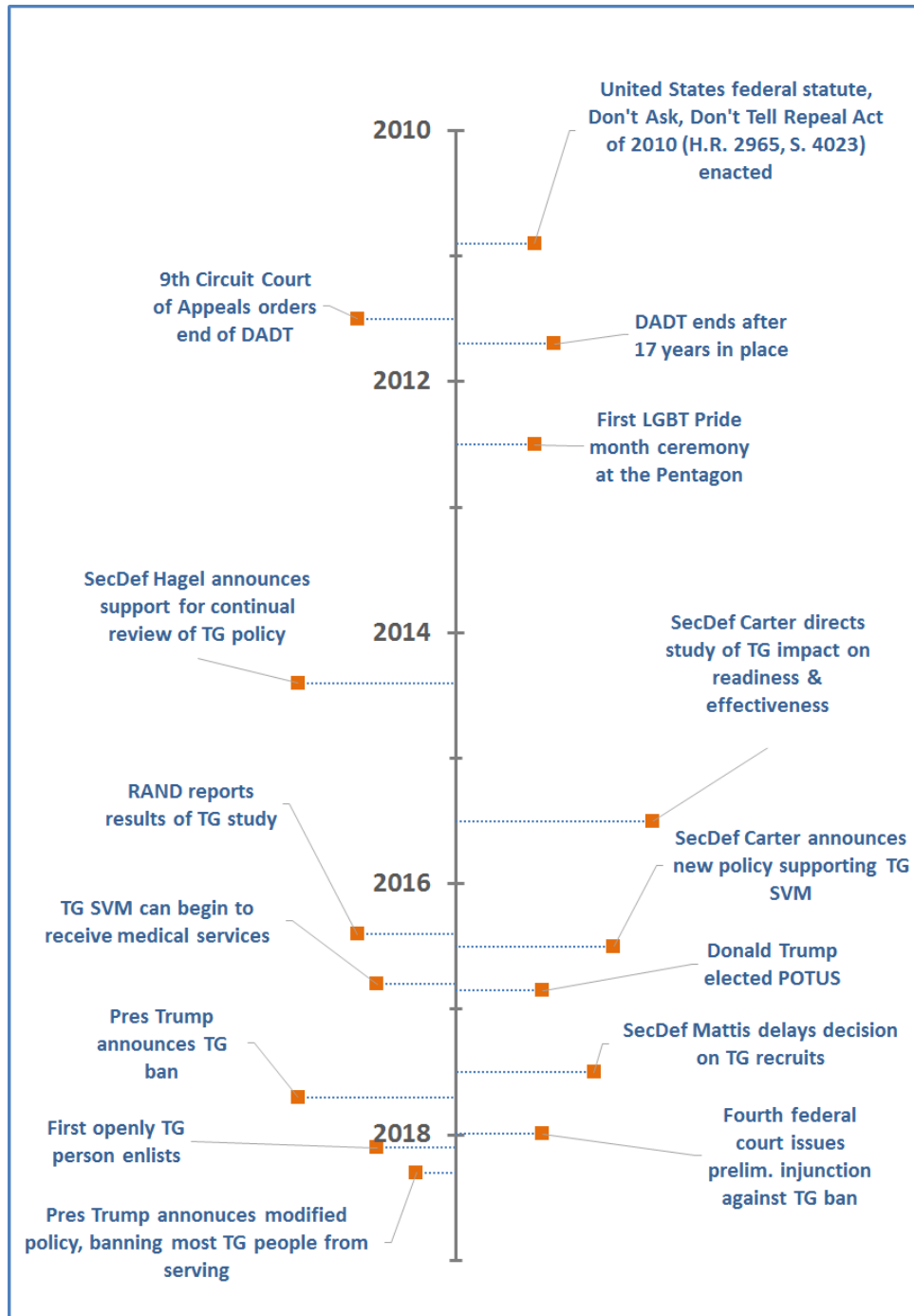


Adapted from Schaefer et al. (2016); Picchi (2017).

Figure 11. Prevalence of U.S. Transgender Service Members.



Figure 12. Photo of Landon for His Blog. Source: Wilson (2014).



Adapted from (chronologically) Vogel-Fox, Karangu, & Sinclair Broadcast Group (2017); Simon (2015); Seck (2017); Buchert (2018); Gonzales & Raphelson (2018).

Figure 13. Timeline of Key LGBT Events, December 2010–March 2018.

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V. TEACHING PLAN

A. CASE SUMMARY

Landon Wilson was a U.S. Navy sailor who was on a special assignment in Afghanistan away from his parent command in Hawaii, where he had a reputation as a hard worker and model sailor. He worked as a cryptologic technician–collection specialty (CTR). CTRs collect and analyze top-secret data and create special intelligence to support warfighters. Landon enlisted as a female in 2011 and began transitioning to male in Hawaii less than a year later. When he moved to Afghanistan, he continued presenting and living as a male without issues. He was in male barracks, and his leaders and colleagues referred to him with male pronouns. When his transgender identity was discovered by his command, he was immediately processed out of Afghanistan and returned to his parent command in Hawaii. His military career ended three months later.

B. ASSIGNMENT QUESTIONS

Instructors may assign the following questions before class to help students prepare for discussion:

- What are the ethical dilemmas facing Landon and his leadership? Have they behaved ethically?
- When did communication breakdowns occur? What was the role of these breakdowns in the events that occurred?
- What advice would you give to Landon? To Landon's leadership?

C. RECOMMENDED VIDEOS

Being Transgender Got Him Kicked Out of the Navy. July 26, 2017, *Washington Post*.

Summary: Landon recounts the events preceding his discharge from the Navy. Accessible at <https://www.youtube.com/watch?v=DFjnIPQ3Am8> (3:26 minutes).

**Gender Revolution: A Journey with Katie Couric. February 6, 2017,
*National Geographic.***

Available for purchase at <https://www.amazon.com/Gender-Revolution-Journey-Katie-Couric/dp/B01N2ARHRE>

Summary: Katie Couric interviews several transgender people. This documentary presents basic transgender terminology and describes differences between intersex and transgender people (runtime: 1 hour 35 minutes).

**I've Lived as a Man & a Woman, Here's What I Learned. December 19, 2017,
Paula Stone Williams, TEDxMileHigh.**

Summary: A former CEO of a large religious non-profit and mega-church preacher discusses communication challenges and differences between men and women. Accessible at <https://www.youtube.com/watch?v=lrYx7HaUIMY> (runtime: 15:25 minutes).

**Navy Veteran Highlights Push for Transgender Rights. March 17, 2015, CBS
Evening News.**

Summary: This brief report summarizes Landon's experience. Landon discusses his upbringing and background. The report includes information about transgender people. Accessible at <https://www.youtube.com/watch?v=YmkgDtjjPws> (runtime: 3:21 minutes).

Sex & Gender Identity: An Intro. July 27, 2015, Now This World.

Summary: This video presents definitions and terms appropriate for discussing gender identity and transgender issues. Accessible at <https://www.youtube.com/watch?v=ago78PhUofI> (runtime: 2:22 minutes).

D. TEACHING OBJECTIVES

This case was developed to generate discussion of transgender service in the military. The subject can be related to leadership, ethics, diversity management, culture, and communication. The following are possible teaching objectives:

- Analyze a leadership issue through an ethical lens
- Discuss issues of gender identity using appropriate terminology
- Understand the value of communication and diversity management
- Explore the value of diversity management to a unit or organization's strategy and culture

E. TEACHING PLAN OUTLINE

This section provides a brief overview of discussion themes and is based on an 80-minute class.

Introduction (<5 minutes)

Set up

Discussion Theme 1: Diagnosis (35 min)

- Group discussion of Landon's situation and identification of roles and key issues/decision points.

Discussion Theme 2: Decision (25 min)

- What options did individuals in each role have? Why might they have chosen the options they did?

Discussion Theme 3: Lessons Learned (15 min)

- How did the actions and decisions of individuals in the various roles influence the outcomes? How might the outcome have been different or better?
- If you were in Landon's place, how would you have preferred others to act? If you were in Landon's leadership's place, how would you have preferred that Landon act?

Conclusion and Wrap-Up (<5 minutes)

F. DETAILED TEACHING PLAN

1. Introduction (<5 minutes)

From the outset, I strongly recommend instructors ensure that students are aware of invisible minorities—that is, LGBT people in the classroom or other environments who may not be out—and emphasize that students should make their contributions to the discussion with sincerity and sensitivity. Some students might feel hesitant to participate in this case discussion because their views might not be aligned with the status quo or the majority perspective in the class, or because they fear they might out themselves. It is important to address this at the start of the discussion. I suggest a brainstorm and discussion of ground rules for discussion if that has not already occurred, opening with a statement such as the following:

To truly get the most out of today's discussion, it is important to be patient with your classmates and remain open to their comments. Some in the class may be uncomfortable, and it is important to be respectful in our conversations. There may come a time in the future when you are involved in or even have to lead or manage a situation similar to the one presented in this case. Today is the time to ask questions and make mistakes. Regardless of anyone's political affiliation or personal opinions, the goal is to have a respectful and mindful discussion.

Before we begin, what ground rules should guild our discussion?

After capturing ground rules on a board and addressing any concerns, outline the teaching objectives for the class.

2. Discussion Theme 1: Setting the Stage (10 min)

To set the stage, I recommend the instructor lead a discussion of the context of the case situation, including the internal and external environments and their potential influence on the events described in the case. I recommend asking the students to share their thoughts about the organizational culture and environment, such as the following: “How would you characterize the organization? How was it structured? What were the shared assumptions, values, and beliefs? How would you characterize the physical and task environment?” The instructor may want to refer to familiar models of organization (e.g., the competing values framework (see Quinn & Rohrbaugh, 1983; Cameron & Quinn, 2011; or Galbraith's [1977] STAR model). After setting the stage for this discussion, the

instructor should lead students to consider and discuss how the organizational and environmental context may have influenced the events described in the case. Some possible key points follow, and Figures 14, 15, 16, and 17 illustrate ways of structuring the discussion.

a. *The Organizational and Environmental Context*

Landon's Afghanistan unit was made up of mostly civilians from the CIA and NSA, foreign military members, and only one other service member, who was Army. Landon acted as their supervisor. The organization could be characterized as fast-paced, diverse, secretive, and results-oriented. The unit was manned 24/7 and produced and delivered classified information to warfighters in the area. His unit was diverse in the sense that it was comprised of multiple agencies, both foreign and domestic.

The overall military environment has different characteristics than a civilian environment. The military is a profession, and with that comes a sense of "social trust," meaning the public holds the military to a higher standard and trusts its members to act ethically and with integrity given their level of autonomy (Lucas, 2015, p. 108). The military has a pro-masculine culture. Some military women may portray themselves as masculine in order to gain acceptance in the workplace (Callahan, 2000). This culture creates a disparate impact against feminine traits, where masculine women and men are valued more. Men face stigma, ridicule, and violence if they exhibit feminine traits, while masculine women are generally more tolerated (Bryant & Schilt, 2008).

Each service in the military has its own subculture, and this is apparent with the Army and the Navy. While both subscribe to the idea of *non sibi sed patriae* (not for self, but country), the Navy states its core values as honor, courage, and commitment. The Army's core values are loyalty, duty, respect, selfless service, honor integrity, and personal courage.

Landon was in Afghanistan in 2013. At that time, the military was under the second Obama administration and had been operating in a fiscally constrained environment. Resources were scarce and mission demands high. The climate in Afghanistan in November ranges between 30°F–70°F throughout the month. Landon was living in a

storage container with seven other men, and his work space was equally shoddy. Sounds of mortars and gunfire were constant. Landon's unit had to perform well despite these conditions; their work directly supported the warfighter. The intelligence they provided allowed the allies to gain an advantage over the adversary in the combat zone.

b. Potential Influence

The structure of the organization served to Landon's advantage since it was predominantly civilian and foreign military. The civilians and international service members were perhaps less likely to pay attention to the fact that Landon was transgender, because they were not aware that U.S. policy at the time banned transgender service. The unit was also in a highly stressful environment, and individuals were conceivably too busy to take issue with Landon's gender identity. While Landon never mentioned age differences, one can infer an age gap between the sergeant major and himself. One could argue that younger generations are usually more open-minded and tolerant of differences, and there could be generational differences within an organizational culture. Subcultural differences present between the Army and Navy also influenced decision making. The Army makes "respect" a core value in a soldier's ethos, yet the manner that Landon was spoken to lacked that value. Conversely, Landon reasoned that by transitioning, he was embodying the Navy core values because it took courage to transition, and by being true to himself, he was able to serve honorably (not living a lie).

Instructors may ask students, "Would Landon's gender identity have been discovered sooner had he been a transgender woman? Did his masculinity allow him to pass more easily with other masculine personalities?"

3. Discussion Theme 2: Diagnosis of the Ethical Dilemma (15 min)

The purpose of this discussion is to get students to think about the ethical challenges each key player in the case faced. The instructor should begin by introducing theories about ethical decision making—including utilitarianism, moral rights, justice and fairness, and the Kantian Golden Rule—as well as by defining an ethical dilemma as a situation regarding wrong and right, in which values are in conflict (see Chapter VI: Conceptual Analysis). One way to approach this discussion is to divide the class into three groups and

instruct each group to represent one key player: Landon, the mentor, and the sergeant major. Ask each group, “What were the ethical dilemmas facing (Landon, mentor, sergeant major)?” “What reasoning or ethical theory did each seem to apply to these dilemmas?” Figure 18 shows a board plan for each role.

For Landon, key dilemmas and/or decisions included the following:

- Transitioning in secret or not transitioning
- Getting out of the Navy and transitioning
- Telling leadership about transition or not

For Landon, key theories/reasoning might include the following:

- Utilitarian reasoning for transitioning
- Landon has an innate moral right to be happy, ergo transition
- It would be unjust to be denied the right to transition
- Landon has a personal conflict when applying the Navy core values of honor, courage, commitment to himself

Landon explained in the case that his reason for transitioning was that he thought it would make him better at his job because he would be happier. This suggests utilitarian reasoning: He made the decision to transition based on the outcome of greater good. Moral rights should not be confused with legal rights. Legally, Landon was not allowed to transition, since transitioning was against military policy. However, moral rights suggest that we must respect the autonomy and freewill of human beings. This principle, that all humans have rights, suggests that Landon should have had the right to transition. He was entitled to happiness, and if transitioning made him happy, then he had a right to transition and it would have been unjust to deny him that right. Landon’s response to the options presented to him, to stay in the Navy and not transition or to leave the Navy, presented a further dilemma: If he had stayed in and served, he would have had to deny who he really

was. He would have been violating the Navy core values of honor, courage, and commitment to himself.

For the mentor, key dilemmas and/or decisions included the following:

- Telling the chief about Landon's transition
- Telling Landon to out himself
- Admitting to Landon he knows he is transitioning or ignoring it

For the mentor, some ethical reasoning might include the following:

- Landon's mentor respects Landon's "rights"
- Per the Kantian "Golden Rule," others would want their own rights respected and thus we should respect theirs
- Landon's mentor was conflicted because protecting Landon could bring his mentor trouble
- Landon's mentor was concerned about Landon's safety and outed Landon for greater good

The mentor was in a precarious position because he wanted to support Landon, but he knew it was not legal for Landon to transition. The mentor was respecting Landon's moral rights by not notifying leadership immediately that Landon was transitioning while still in Hawaii. By supporting Landon, he endangered his own career because if Landon were caught, the mentor would be investigated and asked why he did not escalate the situation. The mentor knew that Landon was a good sailor: Landon was recognized as the best out of 10,000 sailors. In an all-volunteer force, people as motivated as Landon are a benefit to national security. This suggests utilitarian reasoning for not outing Landon.

The mentor knew that by drawing attention to Landon's situation, he could risk losing a quality sailor. The mentor was silent until he became concerned for Landon's safety (when Landon was in Afghanistan and living as male). Landon suggested that at that point, the mentor believed the situation had become too risky and thus took actions that

broke the trust between them. Landon suggested that his mentor believed the betrayal was justified because it was for the greater good of Landon and the unit.

For the sergeant major, key dilemmas and/or decisions included the following:

- Taking immediate action or waiting to act
- Sending Landon home or keeping Landon
- Ignoring the situation

For the sergeant major, some considerations were the following:

- The sergeant major was responsible for preserving the unit
- The sergeant major was interested in protecting himself and his career
- Losing Landon exposed the sergeant major and the unit to manpower/operational risk

The sergeant major was the lead enlisted person in the unit. He was responsible for the health and safety of those subordinate to him. His decisions may have been guided by a utilitarian logic. By removing Landon, he removed the risk that someone would discover Landon's gender identity and take actions that would result in greater negative consequences. This scenario could also have resulted in a public relations scandal, in which news outlets could have sensationalized the story to make it about hate crimes in the military. The sergeant major may have believed that his decision benefitted the greater good. Keeping Landon's secret, taking no action, might have resulted in negative career problems for the sergeant major. His actions could thus be seen as just. Overall, the sergeant major's decision to remove Landon may have caused less harm/more benefit than Landon remaining in the unit. In the fiscally constrained environment, Landon's leadership decided it was better to leave a position open, despite the financial investment already made to train Landon to fill the role, than to overlook Landon's gender discrepancy. This can tie in to culture. The sergeant major's response was to dismiss Landon; the culture did not inspire leadership to find other options.

4. Discussion Theme 2: Decision (30 min)

This discussion challenges students to propose alternative actions for each player, and to consider the difficult problems each faced. Figure 18 depicts at least three options open to each player. Instructors should give the students 10 minutes in small groups to discuss and identify options available to each role. The instructor should then lead a discussion with the larger group, capturing ideas on the board as shown in Figure 18. Next, prompt the class to consider the drivers and outcomes of the options: “What was the outcome of each party’s actions?” “What motivated each party to act in the manner they did?” “Why didn’t they act on alternative options?”

The discussion should show that all parties were making decisions based on the information they had and their own ethical logics. Landon was not intending to deceive the military, the mentor was not seeking to get Landon kicked out, and the sergeant major wanted to do his job and possibly avoid a public relations problem.

a. Landon’s Decisions and Options

First, ask students to consider Landon. Had Landon outed himself to everyone at the start, while in Hawaii, he would have risked losing his career but could have gained a platform for advocacy work earlier on. He would not likely have been allowed to go to Afghanistan. One unintended outcome was that Landon became an unofficial, secret pilot program and showed not just that transgender service members could serve, but also that they could perform well in a combat environment. Had he told his mentor and his leadership that he was transgender, he may still have been able to show his fitness and demonstrate his ability in a combat environment, but his confidence would have placed a burden on them. His leaders might have appreciated his honesty and forwardness but would then have had to consider how and whether to keep Landon’s secret from the Navy. In the case, Landon noted that he did not want to implicate anyone, and that is why he did not come out. Landon did not intend to deceive anyone or the institution, but he wanted to serve as his authentic self.

b. The Mentor's Decisions and Options

Next, ask students to consider Landon's mentor. Landon's mentor decided to keep Landon's secret from a distance, for a time. The mentor never openly acknowledged that Landon was transitioning. Landon mentioned in the case that his mentor once asked him if he knew Kristen Beck, a transgender Navy SEAL. By asking Landon if he was familiar with this transgender SEAL, the mentor conveyed that he was suspicious that Landon was transitioning but knew it would be best not to ask. He likely did not want the burden of truth. Had the mentor known explicitly that Landon was transitioning, he may have felt compelled to report the situation sooner.

Other possible options were for the mentor to stop mentoring Landon to protect himself or for the mentor to advise Landon to come out to their chief in Hawaii. It seems from the case that the mentor cares about Landon, so terminating the mentorship was not desirable. By having Landon come out to their chief in Hawaii, the mentor would have placed the onus on Landon and might have been able to maintain trust between them. This potential option, however, was clearly not Landon's preferred option. Ultimately, the mentor cared about Landon and did not take action until he became concerned for Landon's safety. Although specific concerns were not detailed in the case, it is likely that the mentor feared Landon could face possible physical or sexual abuse.

c. The Sergeant Major's Decisions and Options

Finally, ask students to imagine themselves in the sergeant major's position: "You just discovered something very strange, and there is a risk to safety and public relations. How would other service members react if they found out a transgender person was living among them? What if something happened to Landon?" Inaction was not an option for the sergeant major. He had a responsibility to the unit, and to Landon. Further, if something did go wrong, he could have lost his career. Confronting Landon was a reasonable option, though poorly executed.

Beginning a meeting with another person by asking "What are you?" is insensitive and offensive. Students may want to delve into a discussion of the sergeant major's communication at this point. I suggest that instructors keep students focused on the

sergeant major's decision of whether or not to confront Landon and put off the discussion of communication until later in the session.

The sergeant major did not think creatively. It does not appear from the case that he considered ways he might be able to retain Landon. Why? The Navy has since made changes, and other organizations have relied on solutions such as waiver processes, housing options, bathroom options, and schedule modifications, which may have been considered to ensure Landon's safety. The sergeant major could have scheduled weekly meetings with Landon to check his status and to see whether he felt safe. These steps could have benefited the organization because Landon was a good sailor and good at his job. The culture may have contributed to the sergeant major's apparent failure to consider alternatives to expelling Landon.

Although it would be an easy argument to say that Landon should never have transitioned because it was against the rules, and therefore his discharge was justifiable, there are ethical logics that suggest other conclusions. Further, subsequent events support the argument that the rule was inequitable, not effective, and not justified.

The social environment in which the situation occurred has evolved. Since 2013, when the events described in the case took place, there has been tremendous progress in the acceptance of transgender people. I ask students to consider how their work environments currently address gender identity issues. In the spirit of talent management and personnel retention, it is important to ensure valuable employees are retained in an organization, regardless of gender identity, so long as their work performance is not hindered. Students should consider this case as a thought experiment that may provide benefit beyond the workplace. The students may have subordinates in the workplace who have a transgender family member and who may seek guidance. Students should not be expected to be experts of transgender issues, but they should have exposure and familiarity.

5. Discussion Theme 3: Lessons Learned (20 min)

This discussion can include a discussion of sensitive and interpersonal communication, drawing on the suggested videos, or it can focus more narrowly on a case wrap-up of what has been discussed so far. To generate a class discussion about the

communication in the case, the instructor can ask students to reflect on the following: “How do you think Landon felt about the communication of the sergeant major?” Then some students could be asked to share their thoughts, possibly recording thoughts on the board. Next, the instructor can ask, “If you were the sergeant major, how would you have communicated differently?” To wrap up this discussion of communication, the instructor can ask, “What are the takeaways about communication?”

To draw lessons learned from the earlier discussion, the instructor can ask, “What would you have done differently if you were Landon/the mentor/the sergeant major?” Also, “What have you learned about ethical decision making and leadership that you can apply in your current work or school environment?” And finally, “What can you do to make your environments more inclusive?”

6. Conclusion and Wrap-Up (<5 minutes)

I conclude the class by reviewing and summarizing the learning objectives and by using key student remarks to highlight those objectives. Students should take away from this case that leading and managing organizations can be challenging; events may present dilemmas with no clear, ideal option; and in such situations, sensitive communication is essential. Gender identity issues, in particular, are complicated, sensitive, and evolving, making them difficult to navigate. Challenges are exacerbated by ignorance and misinformation. I conclude by suggesting that the lessons from the case can be applied in leadership and other interaction situations. I encourage students to reflect on how their own perceptions may have changed during the discussion and how they can apply lessons learned in their interactions.

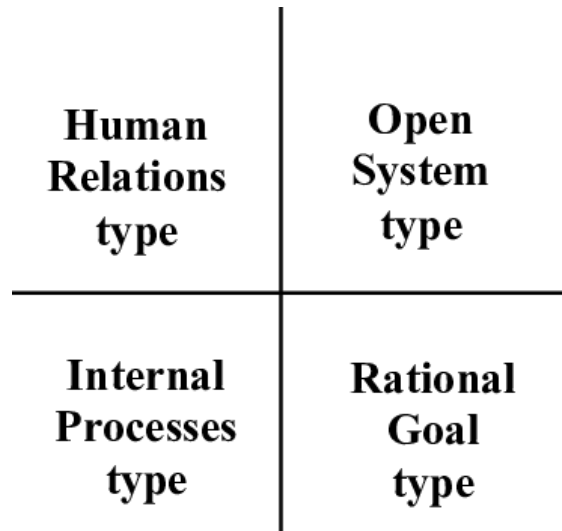


Figure 14. A Spatial Model of Effectiveness Criteria. Source: Quinn & Rohrbaugh (1983).

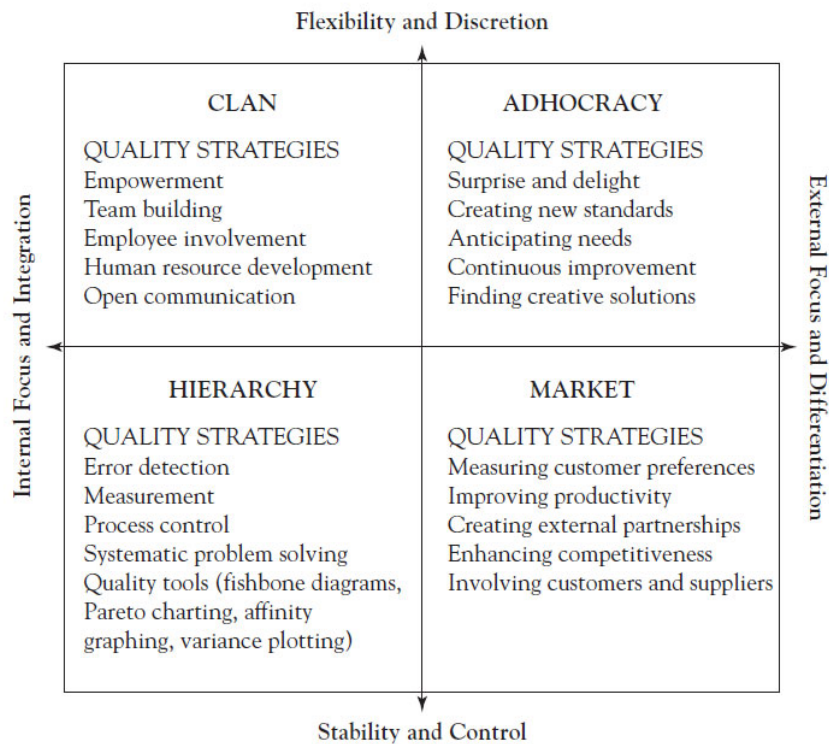


Figure 15. Competing Values Framework. Source: Cameron & Quinn (2011).



Figure 16. STAR Model. Source: Galbraith (2008).

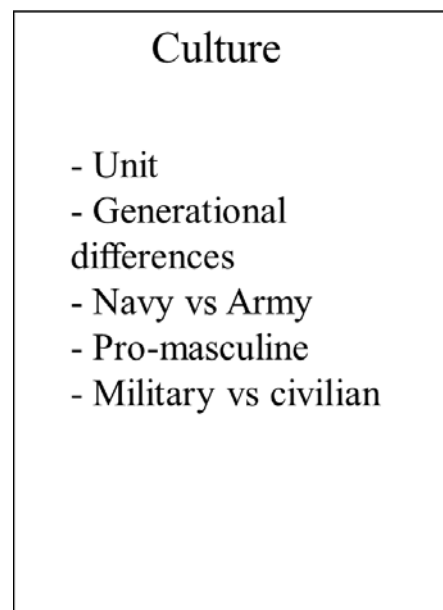


Figure 17. Board Plan Example of Culture Discussion

	Discussion theme 1	Discussion theme 2	
	Ethical Challenges	Options	Potential Impacts
Landon	<ul style="list-style-type: none"> - Utilitarian reason for transitioning - Has innate "right" to be happy, ergo transition - Unjust to be denied right to transition - Personal conflict with Navy core values of honor, courage, commitment 	<ul style="list-style-type: none"> - Out self to all - Out self to just leadership - Don't out self 	<ul style="list-style-type: none"> → Risk losing job → Might build credibility and might protect job but burdens leadership to keep a secret → Took this action, justifiable?
Mentor	<ul style="list-style-type: none"> - Respects Landon's "rights" - Kantian "Golden Rule" would want own rights respected - Conflicted because protecting him could bring trouble - Concerned about Landon's safety 	<ul style="list-style-type: none"> - Keep quiet, keep mentoring - Keep quiet, stop mentoring - Tell the Chief - Advise Landon to out self to Chief 	<ul style="list-style-type: none"> → Can backfire, hurt career mentoring → Can hurt Landon, loses mentorship → Took this action, justifiable? → Places onus on Landon, maintains trust
Sergeant Major	<ul style="list-style-type: none"> - Wants to preserve unit - Protect self/career - Willing to accept manpower/operational risk by losing Landon 	<ul style="list-style-type: none"> - Ignore - Confront Landon and keep him employed - Confront Landon and remove from unit 	<ul style="list-style-type: none"> → Too much risk, "don't be the senior person with a secret" → Requires guidance from superiors, possible waiver, cultural audit → Took this action, justifiable?

Figure 18. Board Plan Example of Ethics and Communication

VI. CONCEPTUAL ANALYSIS

Scholarship on ethics and diversity management informs this case. As Landon progressed through his journey, he and the people he encountered were faced with ethical and moral dilemmas. Peers who knew must have observed his physical changes. Because transgender people were not allowed to transition in the Navy at that time, these peers had to decide whether to tell their superiors. Similarly, Landon's superiors had a responsibility to uphold the policies of the organization but also respected the value Landon brought to the organization. At the time of the case, there had been no guidance in the military on how to communicate issues regarding gender identity. The case illustrates a difficult situation, which presents an ethical dilemma as well as leadership and communication challenges.

A. ETHICS

Ethics are externally developed, accepted principles of right and wrong that govern behavior. Ethics influence the laws societies develop and can change over time (Hill & Jones, 2008). A situation that generates a disagreement on what is right or wrong, for which no alternatives seem ethically acceptable, presents an ethical dilemma (Lucas, 2015). Understanding ethics enables leaders to think critically and make conscious decisions that benefit the organization (Lucas, 2015).

B. ETHICAL FRAMEWORKS

Common approaches to ethics include **utilitarianism** and Kantian ethics. Under the framework of utilitarianism, a leader would seek to maximize the good and minimize harm in a situation (L'Etang, 1992; Lucas, 2015). A utilitarian decision seeks to produce the greatest good for the greatest number of people, in other words, maximize benefits and minimize costs. Cost-benefit analysis, or risk assessments, are utilitarian-based tools that can be used in decision making (Hill & Jones, 2008). If the benefits outweigh the costs of an option, a leader can opt to proceed with said option. If that option carries too much risk, a leader can decide not to continue with an option. There are shortcomings with cost-benefit analyses because it is difficult to quantify actual costs and benefits of the decision (Hill & Jones, 2008).

Utilitarianism is void of the concept of justice (Gandz & Hayes, 1988); utilitarian logic seeks to gain the greatest good for the majority of people, and in doing so may neglect the good of the minority. To mitigate the risk of causing undue harm and to reduce the risk of committing injustice, a leader could view a decision through a Kantian lens. Immanuel Kant applied “the Golden Rule” to decision making, that is, do to others as you would want done to you (Burton & Goldsby, 2005; Gandz & Hayes, 1988). He argued that people should never be used merely as a means to an end and that human beings have rights (Burton & Goldsby, 2005; L’Etang, 1992). People have basic rights and that should be respected; it is unethical to violate those rights. Along with the concept of “rights” comes “obligations” (L’Etang, 1992). Since we have freedom of speech, an obligation also exists to preserve the same right for others.

C. ETHICS AND LEADERSHIP

There were many ethical stakeholders involved in Landon’s journey. Encounters Landon had with the various individuals on his journey were vetted to gauge the level of ethical burden placed on each individual. Ethical burdens influenced decision making for leadership. Landon’s co-workers and leadership knew him as female and noticed his appearance change over time and must have wondered why. Medical staff used male pronouns despite his record stating that he was female. Landon had to limit what he shared with new friends and keep his past private, because he knew if he told anyone, he would not be putting just his career at risk; revealing his secret would also place a burden on that friend were he to get investigated. Leadership who discovered his identity in Afghanistan had the ultimate burden of deciding whether or not to return Landon home. It can be argued that every person who refused to confront Landon regarding his visible changes did so for utilitarian reasons. That is, they knew he was a good worker and therefore allowing him to continue working undisturbed was for the greater good of the unit. Under the theory of rights, Landon had innate rights, and perhaps those around him did not know if confronting him would be considered a violation of his rights. Under the Golden Rule, those around him felt they could not approach him because they would not want to be approached if the situation were reversed.

D. DIVERSITY MANAGEMENT

Diversity management is a voluntary organizational action of using policies and programs to create an inclusive environment of employees from various backgrounds (Mor Barak, 2014). Diversity management and affirmative action programs have targeted traditionally disadvantaged groups to assist them in gaining access to forms of employment that were historically not open to them (Mor Barak, 2014, p. 218). Organizations have improved and gained advantages in areas such as retention, recruitment, problem solving, and marketing by employing diversity management tactics (Houkamau & Boxall, 2011). Organizations cite several reasons for diversity management programs: (1) Diversity is here to stay and adopting best practices now will assist the organizations in the future; (2) organizations have an ethical obligation to promote diversity management programs because it is the right thing to do; and (3) diversity is good for business since it can provide a competitive advantage (Mor Barak, 2014).

E. DIVERSITY MANAGEMENT APPROACHES

Four approaches characterize diversity management: diversity enlargement, diversity sensitivity, cultural audit, and strategy for achieving organizational outcomes (Hill & Jones, 2008). These approaches can be used to improve diversity management in an organization by increasing the amount of hires from a diverse background, training to accept diversity, auditing the organization to gauge compliance, and enabling the organization's strategy via diversity management (Hill & Jones, 2008).

1. Diversity Enlargement

This approach to diversity management focuses on changing an organization's culture by increasing the employment of people from diverse backgrounds in the population. The assumption is that new employees will adopt the new culture and assist in changing the existing culture. This can assist in changing culture in organizations without relying heavily on a training program (Mor Barak, 2014).

2. Diversity Sensitivity

This approach aims to overcome adversity in the work environment and improve communication by conducting specialized training. Diversity sensitivity can be used to mitigate the risk of discrimination and reduce bias found in diverse groups. The assumption is that increased understanding will sensitize people to a diverse and multi-cultural work environment and improve performance. Caution should be exerted during training to highlight communication efforts instead of highlighting differences that may be used to re-enforce harmful stereotypes.

3. Cultural Audit

Cultural audits assume the dominant cultural group is responsible for a workplace problem, and the organization undergoes an investigation by an outside party. The audit may be done via survey or focus groups in which employees identify issues. The goal is to identify whether employees are experiencing barriers because of other employees. Remediation may entail changing company policies.

4. Strategy for Achieving Organizational Outcomes

This approach attempts to view diversity management as a way of achieving organizational goals by linking diversity management with organizational outcomes. Environmental drivers help managers determine expected benefits from diversity management and use the drivers to create optimal organizational strategic choices. “Organizational strategic choices are viewed in the context of environmental drivers such as the changing labor market composition, the global economy, the shift to a service economy, and the legal and governmental pressures” (Mor Barak, 2014). Leaders are challenged with integrating the organization’s goals with desired diversity management objectives all the while maintaining awareness of the business environment.

The Navy uses most of these diversity management approaches. An example of diversity enlargement is when recruiters are assigned specific gender quotas to meet Navy policy initiatives. Diversity sensitivity comes in the form of a diversity management style program called the Command Managed Equal Opportunity (CMEO) program. Its objective

is to promote positive command morale and improve the quality of life. The program is used to mitigate biases based on national origin, religion, color, race, sex, gender identity, and sexual orientation (Navy Personnel Command, n.d.). Every Navy command has one sailor assigned to be the representative of the program who facilitates training to the command. The CMEO program can also serve as an audit tool. Sailors can submit complaints to the CMEO representative and an investigation can be conducted to confront the issue.

Landon did not seek the assistance of the command CMEO representative. However, it is important to note that at that time, the CMEO mission did not include gender identity. Landon would have been offered no assistance from the CMEO in his situation. This is not to say his leadership could not have found an alternate solution. Keeping Landon in his position would have fulfilled the fourth approach of integrating organizational goals and diversity management. By allowing Landon to continue serving, his leadership could continue meeting operational objectives. His leadership could have conducted an audit to gauge whether Landon's presence was a threat to the unit, while still keeping his situation confidential. As a contingency plan, were his gender identity revealed, the leadership could have developed a plan to address the unit as part of the Diversity Sensitivity approach.

F. CULTURE

Ethics and diversity management affect an organization's culture. Organizational culture is the specific collection of values, norms, and attitudes shared by people in an organization, and they control interactions inside and outside of the organization (Hill & Jones, 2008). Culture encompasses the identity of the organization and how the members define their entities and supersedes time, past leaders, and policies (Lucas, 2015). The Navy maintains a prohibitive and reactionary culture for ethics (Lucas, 2015). This process creates a culture in which a command identifies and discharges offenders, abruptly creates a new policy, and strictly enforces new training requirements. The reactionary culture for ethics fosters an environment in which naval personnel are encouraged not to be like the offender. Therefore, Navy ethics do not inspire individuals to embody the Navy core values

and to use professional judgment but instead motivate individuals to follow a list of rules in order to avoid punishment (Lucas, 2015).

Landon fell prey to this reactionary culture. His gender identity was discovered, and he was sent home within the same 24-hour period. His leadership admitted they lacked formal guidance as to how to handle the situation. Ethics and morals are supposed to aid in times of uncertainty when leaders are faced with a difficult decision and are challenged to make the best choice with whatever information they have at hand. Landon's leadership viewed the decision to expel him from Afghanistan as the most utilitarian: the best decision for the perceived greater good. However, one has to consider if the decision was actually best for the Defense department and the country. By removing Landon from his position, his leadership accepted a manpower shortage, a possible operational risk, for an undetermined length of time. Given the culture, the leadership identified a problem and reacted expeditiously to remove him.

G. COMMUNICATION WITH TRANSGENDER PEOPLE

The case showcases an example of a communication failure with regards to transgender people. Landon's sergeant major confronted him by asking, "So what exactly are you?" and a therapist later asked, "How does it make you feel knowing you're really a female?" GLAAD,⁸ an LGBTQ media advocacy organization, offers guidance regarding best practices for communication with transgender people (GLAAD, n.d.). The following is adapted from their article *Tips for Allies of Transgender People* (GLAAD, 2017). The article does not offer a definitive answer to every situation but is based on dignity and respect. GLAAD's list can be summarized under the following three key themes:

1. Assumptions and Uncertainty

As a fundamental rule, people should avoid making assumptions about a person's appearance and sexual orientation. People may not appear to be "visibly transgender," and therefore appearances should not be judged, and the assumption that a person does or does not "look transgender" should be dismissed. It is better for one to assume that a transgender person is present at any gathering and speak accordingly.

⁸ Formerly known as Gay and Lesbian Alliance Against Defamation

Uncertainty regarding pronouns could be handled by either waiting for other people to address the individual or, depending on the relationship with the individual, asking their preferred pronouns privately. Ensure confidentiality to maintain dignity and respect for the individual, and exercise caution to ensure the individual is not outed unintentionally. It is up to the transgender individual to reveal their status, and it is not necessary for the person to come out.

2. Respect

Common failure points when addressing transgender individuals include remarks or questions about genitalia, surgery status, birth name, sex life, and backhanded compliments. The Golden Rule may be applied here. One should ask questions if they themselves would be comfortable answering them. Gender identity and sexual orientation are separate. Diane Sawyer remarked on the difference during her interview with Caitlyn Jenner, explaining that sexual orientation is who you go to bed with, and gender identity is who you go to bed as.

Backhanded compliments and suggestions can be seen as disrespectful or hurtful. Examples include “I never would have guessed you were transgender,” “You look like a real woman/man,” “I would date him/her even though they’re transgender.”

With regard to manner of speech and inclusivity, it is important to note that *transgender* is an adjective, and its use as a noun or a verb can be considered offensive. The term *transsexual* has also been considered offensive and outdated because it implies the person has had gender confirmation surgery. Some transgender individuals cannot afford or do not wish to undergo surgery, thus the term *transgender* is now used to respect individuals’ privacy and health information. The shorthand version—*trans*—is acceptable to describe a transgender person and may refer to either gender, that is, a transgender male can be referred to as a “trans male/man” or simply “trans.”

3. Tolerance

Tolerance involves creating a positive environment for not only transgender people but for all employees regardless of their personal stances on transgender issues and people. This can be achieved by challenging anti-transgender remarks or jokes in the workplace and setting an inclusive tone. If a transgender individual is supportive of the idea, they should consider sharing their experiences and their wishes.

H. SUMMARY

The case study was analyzed using ethical and diversity management frameworks. Ethical frameworks included a review of utilitarianism, Kant’s Golden Rule, moral rights,

and justice and fairness theories. Approaches in diversity management included diversity enlargement, diversity sensitivity, cultural audit, and the use of diversity management as a strategy for achieving organizational outcomes. Ethics and diversity management influence an organization's culture. To best understand why Landon and his leadership acted the way that they did, one has to understand the environment they operated in. Ethics and diversity management frameworks inform that understanding. The breakdown in communication in Landon's case could be attributed to these frameworks but also a lack of understanding on how to communicate with transgender people. Communication can be summarized as simply treating the individual with dignity and respect. Care should be taken to avoid making assumptions about other people and to create a tolerant environment.

VII. CONCLUSION

This MBA report aims to educate current and future leaders in the U.S. Navy about policies that affect transgender persons. Leaders should appreciate the possible challenges faced by transgender sailors, their supervisors, subordinates, and their co-workers. The teaching case approach was used to generate discourse and thoughtful evaluation of how to manage difficult issues such as those experienced by the individuals in the case. This report contains a background review of important events and policy changes, a teaching case, and a teaching plan. The teaching plan summarized the case, provided learning objectives, discussion questions with possible answers, and various frameworks to analyze the case. The teaching case was based primarily on publically available data, including news reports and a blog, supplemented with input from the protagonist. The teaching case and teaching plan were designed for classroom discussion and educational purposes. This report was not a critique of specific practices and did not offer recommendations for action. Recommendations were limited to methods for using the case.

Ultimate policy status regarding banning transgender people from serving in the military is undetermined at this time. Several U.S. federal court injunctions have prevented the Trump administration's ban from taking effect. Policy sections of this project should be updated over time to accurately reflect current policies. This report was written with consideration of the uncertain policy status and was focused on understanding the history of the politics of the transgender military problem. By focusing on the personnel aspect of leadership and ethics, its applicability is ensured over time regardless of policy status.

By better understanding the genesis of a problem and the solutions that have already been attempted, efficiency and effectiveness are increased within the organization. The case presented an example of personnel challenges leaders face today. While the fight for civil rights in the military is not a new concept, the fight regarding gender identity is. This report aimed to add to the consolidation of research and observations required to better understand this problem because it is a major civil rights issue of the modern day military.

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